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that the private property pertaining to the occupancy of land now vested in the inhabitants of this district represents a capital of upwards of thirteen and a half lakhs."—*Selections from Bombay Records, No. CVII., New Series, pp.* 51-52.

Similarly, in the debates on the passing of Act I. of 1865, Sir W. Mansfield said that from 1850-51 to 1860-61 cultivation had increased "by upwards of five million acres, *i.e.*, upwards of 40 per cent." This was no doubt all very true, and if the survey had found a district even tolerably free of debt, this creation of a new and valuable property would have been to the ryot's benefit. But "with a district half depopulated," and "with heavy outstanding balances betokening the poverty of the people and the low state of its agricultural resources" (*ibid*, p. 21), the rapid rise in the value of property served probably to inflate the credit of an uneducated people and to open a further field for money-dealers. The stock, seed, and cattle necessary for extended cultivation could have been obtained only on the credit of the "broad acres," which were probably in great measure broken up with aid of borrowed capital. The sudden creation of a new and good security would tempt to improvidence on the one hand and to speculation on the other. Extraordinary facilities for borrowing would be given to cultivating classes, too ignorant to use the opportunity to advantage, and too involved to be able to profit by it. Greater certainty of recovery would be assured to the moneyed classes, who live chiefly on the necessities of the cultivators. As one of the settlement officers of the day put it—

"As long as the ryot is in the hands of the money-lender how can he prosper being so involved? Should he do so, his prosperity would only make the usurer the richer, without materially (if at all) increasing his own resources."—*Lieutenant Burgess, CXXIII., Bombay Selections.*

Similarly we read :—

"In 1841 Mr. Hart writes:—'Since the introduction of the present fixed assessment, the population of the district has much increased, cultivation has been rapidly extended, and the Government Revenues annually enlarged, with less necessity for the grant of remissions, while the social as well as pecuniary condition of the peasants has been perceptibly improved.' He points out, however, *an evil arising from the reduction of assessment*, viz., *the too suddenly extended cultivation naturally caused by* it: so that a man instead of being contented with the land that he had and could cultivate, and saving money to increase his stock, took up twice as much land, which he could not cultivate properly, and on which in a bad season he was sure of remission."—*P.* 248, *No. CXLV., Bombay Selections.*

This *sudden impulse given to credit, and artificial stimulus applied both to creditor and debtor by the survey assessments* may, I think, come next among the general causes of the present indebtedness.

5. But while this addition to the value of their property was by no means unmixed benefit to the agriculturalists, a further increase of thriftlessness on the one hand and of greed on the other was unquestionably caused by the sudden and shortlived prosperity which accompanied the high prices consequent on the American war. Prosperity coming suddenly to men who do not know how to use it opens a side door to ruin; and no men did it ever visit more suddenly, or find more unready, than the Kumbis of the Deccan. In the debate above alluded to Mr. Robertson said that land then sold for 20 times the annual assessment: Mr. Cassel adding that 30 was nearer the mark. If in some cases they cleared off their debts, they incurred in many others fresh liabilities; while their larger credit enabled them to sow on a scale more profuse than hitherto the seeds of future embarrassments. The stories told of the careless extravagance of those days—silver tires to cart-wheels, fabulous prices paid for fancy bullocks, and so on—are numerous: and withal there occurred a sensible improvement in the style of houses and of living. To a class already in debt a brief season of high prices brought in this manner further ultimate embarrassment, and by giving them for a time a taste of better things, made more intolerable to them the difficulties which they had hitherto accepted as their inheritance. *The temporary prosperity, then, of* 1862-65 may be added to the general causes which have led to the present crisis.

(3.) Effect of high prices on credit.

6. The relapse into low prices with its consequences of contracted credit and pressure of creditors has been almost as rapid as the rise in prices. The table at page 15 of Mr. Pedder's "Leading Points regarding Revision of Settlement" shows that from 1857 to 1860, 35 seers of jowari sold for the rupee; from 1861 to 1866, 18 seers; from 1870 to 1872, 27¼ seers; and in September, 1874, 50 seers. In the Indápur taluka the average price of jowari was 13 seers in 1863-64; in 1874, 50 seers. In Haveli, bajri sold in the five years 1866-70 for 14 seers, and in September, 1874, for 23. The result of so sudden a fall would be felt in two ways. It would induce the creditor to press for settlement of account, and it would at the same time greatly diminish the debtor's power of payment; so that *the sudden fall of price since* 1865-66 comes next.

(4.) Fall of prices.

7. The registration returns at present before the Commission illustrate in a measure the pressure of falling prices and decreasing credit. It is probable that they will be considerably added to, but the following figures will serve my present purpose.

(5.) Effect of fall of prices on credit illustrated by registration and litigation.

In Ahmednagar the following figures show for all offices, except the city and Nagar taluka (excluded as being mainly non-agricultural), the number of sales and mortgages of immoveable property, whether more or less than Rs. 100, during 1866-74 :—

	Number.
1866	3,440
1867	3,663
1868	4,700
1869	4,722
1870	5,891
1871	4,274
1872	4,585
1873	3,803
1874	2,912

Again, in the talukas of Sirur, Indápur, and Bhimthari of the Poona district, the following are the figures for the number of instruments of sale and mortgage of immoveable property whether over or under Rs. 100 :—

1866	1,428
1867	803
1868	804*
1869	1,438
1870	1,729
1871	1,708
1872	1,967
1873	1,833
1874	1,122

In either case the rise up to 1872 and the sudden fall of the last two years will be noticed. It would seem that while up to 1872 credit was largely and increasingly drawn upon, during the last two years it has shown signs of exhaustion: the fall in 1874 being especially remarkable. I have not given the values because I do not believe they are real values. Land is frequently sold or mortgaged for sums which do not represent its true price or the *bonâ fide* debt, but the figure which it has reached after the accumulation of compound interest, which the creditor never hopes to recover, and which is merely put on to swell the apparent debt.

Again, the relative numbers of applications for execution of decrees during the last four years, as shown in the Government Administration Reports, have been as follows:—

1870-71	185,133
1871-72	187,808
1872-73	205,192
1873-74	266,581

* Approximate: actual figures given only for three months.

I am not sure whether in the last entry the figures for Sind (which are excluded in the former years' statements) are not included, but they would make but little difference. In 1871 they amounted to 7,259, and in 1872 to 7,591 only.

Similarly, take the total value of suits :—

	Rs.
1871-72	1,38,54,789
1872-73	1,44,33,646
1873-74	1,80,85,122

The Subordinate Judge of Pátas gives the following return of suits and applications for execution :—

Year.	No. of original suits.	Applications for execution.
1871-72	1,532	2,054
1872-73	1,766	1,881
1873-74	1,489	2,107
1874-75	1,966	2,691

From another return I find that the total of suits in the several Poona courts was 9,076 in 1874 against 6,889 in 1865.

The above figures will illustrate the pressure put upon the people during the last two years. The number of applications for civil imprisonment, the number of debtors imprisoned, and the comparative number of suits for money debts would doubtless bring the point out clearer; but unfortunately the appendices to the Bombay Administration Reports vary so constantly that it is impossible to obtain from the report of one year figures corresponding for other years, or even, in some cases, to reconcile figures purporting to show the same results for a single year.

Whether, again, during the last four years there has been any increase in the number of coercive processes for the realisation of land-revenue the Administration Reports do not show. But enough has been entered here to illustrate the cause which I should place next among the general sources of the present embarrassments, *viz.*, *the pressure put upon debtors owing to the fall in prices and the necessity of contracting credit.*

Three remaining causes.

8. The other three general causes may be at present more briefly noted, for though most important in themselves, the one is self-evident, while the two latter require more analysis than can be given at this stage. They are, *the extreme ignorance of the cultivating population; the facilities given to creditors by the law*; and *the growth of the population on the soil, combined with the decreasing area of cultivable waste.*

Causes special to the disturbed districts.

9. The above, then, are the general causes which appear to me to have led to the present condition of the ryots. So far as I have been able to ascertain they apply, though with varying force, to all parts of the Presidency. There remains to consider the group of special causes which particularly affect the tracts which were the scene of the late disturbances.

Original poverty, Poona.

10. In the first place, the *population has been long described as expectionally poor.* The following extracts will illustrate this. The first is from a report by Lieutenant Robertson, Assistant Superintendent, Revenue Survey, writing in 1840 of Pábal in the Poona district :—

"The condition of the people of this turruf is by no means so impoverished as of those who fell under my notice further eastward in the Sholapur Collectorate, and the existing assessment, although unquestionably too heavy, is not so intolerable as elsewhere. *Wretched though the peasantry be,* yet they are *some shades* better circumstanced in their house, clothing, and personal necessaries, and also in their stock and agricultural essentials. The villages are in many places much dilapidated and their walls crumbling to the ground. There are thirty-three chowrees, of which nineteen are inhabitable and the remainder in a miserable plight."—*Bombay Selections, No. CXLV., p.* 139, *Pábal Revision.*

Writing in 1872, Colonel Waddington spoke of their condition as showing a "marked improvement," and that they might, on the whole, be said to be in prosperous circumstances. But he admits that they are still in the hands of "the money-lenders" (p. 115).

Colonel Wingate, writing in 1841, and forwarding Lieutenant Robertson's report, adds :—

"There can be little doubt that the over-estimate of the capabilities of the Deccan formed and acted upon by our early Collectors drained the country of its agricultural capital, and accounts in great measure for *the poverty and distress in which the cultivating population has ever since been plunged*" (pp. 148-149).

Again, of thirty-nine villages which formerly belonged to the Supa division of the Purandhar pargana, but of which thirty were afterwards transferred to Bhimthari and nine to the Purandhar taluka, Lieutenant Evans says :—

"The district is now in course of transition *from a state of great depression to one of comparative prosperity*" (p. 215).

Of fifty-four villages in the Pimpalgaon division of the Bhimthari taluka, Poona :—

"What is stated there of the Kurkumb is equally true of the Pimpalgaon division of the pargana. The plundering of Holkar's army, the

famine which ensued, the alteration in the value of money, and the ravages of cholera, have all combined to the injury of the district. Their effects are visible in the falling out of cultivation of more than half the pargana, in the ruin of the villages, in the accumulation of balances, and in the constant necessity for remissions" (p. 279).—*Captain Nash*, 1839.

The Indápur taluka, Colonel Francis writes, was in 1832-33—

"Half depopulated by the effects of mismanagement and the unscrupulous rapacity of native officials, with a falling revenue and annually decreasing cultivation, with heavy outstanding balances, betokening the poverty of the people and the low state of its agricultural resources."—*P.* 21, *Indápur Revision, No. CVII.*

Like the other talukas, it improved under the revised survey; but it must be borne in mind that, when the observations were made of which Colonel Francis recorded the satisfactory result in 1871-72, the effect of the recent high prices was still marked, and the period of prosperity was as exceptional as its depression thirty-five years before had been singular.

Of the Ráhuri taluka of Ahmednagar—

"It possesses little capital of any kind. The general poverty of the cultivators has made them fall an easy prey to the Marwaris and other money-lenders, who are to be found in every large village, and there are few cultivators of independent means who are able from their reserve funds to meet the losses caused by a bad season, the death of a bullock, or other unforeseen calamity. In an unfavourable year many ryots are even unable to earn a livelihood, and are forced to desert the district and proceed to Bombay and other places in search of labour."—*P.* 7, *CXVII., Captain G. Anderson*, 1849.

Ahmednagar.

Of Newása—

"A great majority of the ryots are deeply involved in debt" (1854, *Captain Anderson CXXIII., p.* 13). "Such is the poverty of the husbandmen of this and other districts that they appear to be all dependent upon the sowkars, who exact from them 20, 30, or even 40 per cent" (p. 176, *ibid, Lieutenant Day on Newása*, 1848). "After a careful consideration of all available information, I am of opinion that about one-eighth of the agricultural class of the district may probably be in easy circumstances, but that the remainder are in *different degrees more or less of absolute poverty*" (*ibid, p.* 192, *Mr. Gooddine* 1851). "Although more favourably situated as regards climate than the southern villages in the suba of Párner and the petta of Kolgaon, still these villages seem to me to be the most impoverished in the district. The apparent state of poverty in which the ryots seem to be would bear me out in this opinion. *They one and all struck me as being in a wretched state of indigence.*"—*P.* 194, *Mr. Davidson on the Kharda taluka*, 1842.

11. The above extracts seem to me to show pretty clearly the exceptionally impoverished state at the last survey of the Collectorates of Poona and Ahmednagar, the scene of the recent dis-

Further considerations of soil, &c.

turbances. The following further information as to the nature of the country, the soil, rainfall, and crops will fill in the picture and bring out into further relief the exceptional character of the tracts :—

Indápur taluka (Poona). Rainfall ; soil.

"The climate of Indápur has unfortunately, however, prevented the cultivators from realizing that material wealth which is indicated by the immense rise in price of grain referred to above. *The rainfall is most precarious.* For two or three consecutive years together it is either insufficient or the falls so untimely and at such long intervals apart *that no crop is brought to maturity.* A good average crop every other year is too liberal an allowance as an average of the general run of seasons. From the jummabandi reports it would appear that the cultivators get a good crop *about once in three years*; that of the other two, one is a year of almost complete failure, and one of middling crop only."—*P.* 73, *No. CVII., Revision of Assessment of Indápur taluka, Colonel Francis*, 1867.

The average rainfall during five years was 5·85.

Haveli taluka. Crops; rainfall.

In the Haveli taluka of Poona, 34·5 of the total cultivation of Government and Inam lands is bajri ; 40·4 is jowari ; 13·5 waste. In other words, dry crops of the least remunerative kind are almost the only crops grown. The rainfall in Poona is 27·07 ; in Pátas, 14·18.—*Pp.* 16, 17, *Papers relating to Revision of Haveli and other talukas in the Poona Collectorate ; No. CXLV., Bombay Selections, New Series.*

Pábal. Rainfall; cultivation.

In Pábal the rainfall averages 14·91 ; in Sirur, 13·81 ; in Junnar, 21·07; in Ghora, 20·1 ; in Khed, 19·86. Of a total proposed assessment of Rs. 15,854 in Pábal Rs. 15,733 is for "jiráyet" or dry land. Of a total of 13,841 acres, 12,772 are "jiráyet."—*Ibid*, pp. 114-128.

In Supa petta :—

Supa. Crops ; rainfall.

"The kharif crops are bajri with mung, &c., the only rabi crops being jowari, among which a good deal of kurdai is sown broadcast. In the northern and eastern villages the late crops, and in those to the west and south the early crops, predominate. Cultivation is very carelessly conducted, except in a few villages, and the crops overrun with weeds. Land is not ploughed more than once in three or four years, and the use of manure on dry-crop lands, except to a limited extent by the folding of sheep, of which great numbers are reared, is apparently unknown. The garden lands, which are almost exclusively under well irrigation, are by no means of a high class."—*Ibid*, p. 189.

The rainfall is 17·51 (p. 193).

In Bhimthari—

"The country is an open plain. The soil is productive, while the rainfall is capricious, unequal, and too often scanty."—*Ibid*, p. 239.

Of the cultivated area in 48 villages, 35·6 was jowari, 43·4 bajri, 10·5 unoccupied waste.

Newása taluka (Ahmednagar). Cultivation.

12. In the Ahmednagar Collectorate, Newása taluka is described as having a naturally fertile soil, and, with good tillage, capable of yielding very rich and luxuriant crops.—*No. CXXIII., Bombay Selections, p.* 9. But—

"The cultivation is principally dry crops. Garden crops, notwithstanding the plentiful supply of water, are only raised in the proportion to the entire cultivation of about one acre per cent."—(*Ibid*).

Kharda—

Kharda. Poverty of soil.

"Is composed of a succession of plans or table-lands of hills (volcanic) intersected by deep ravines, the termination of the table-lands throwing off numerous spurs into the successive small plains or valleys below them, which altogether form a most intricate and rugged surface. * * The fertility of a district thus geologically formed, and the surface of which is so irregular, will of course vary greatly in different localities. It is generally allowed by geologists that volcanic rocks form the most fertile and inexhaustible soils; but much depends on their class and upon the comparative level of their surface. The soil of the plateaus or level plains on the tops of the hill, being derived from the substratum of basalt, is in general very fertile; but that derived from the amygdaloid is much less so, which may be partly owing to its position and partly to its decomposed materials producing an excess of lime, soda, or other noxious salt. *The proportion of this rock is far greater than the basalt,* and it is difficult to convey an idea of the sterile and desolate appearance of the slopes of the hills which are composed of it. * * * On the whole, I think the district, for its size, is one of the poorest we have yet measured." —*Ibid,* pp. 183-184.

Of Nagar, the soil, like the climate, "varies considerably owing to the numerous hills. The fall of rain, within limited localities, is very irregular."—*Ibid,* p. 81.

Kortee—

"In its aspect is decidedly inferior to any district hitherto assessed. There are few trees anywhere—in some parts none; and owing to the large proportion of rocky and unprofitable ground, almost destitute of vegetation, the country generally presents a most dismal appearance."—*Ibid,* p. 103.

Population.

When it is added that the population of Indápur is 119 to the culturable square mile, and about the same ratio in the other talukas, sufficient information will have been given to show why I should class as the second of the special causes *the exceptional character of the country.*

Enhancement of revenue at the revised assessment.

13. Ahmednagar has not as yet come under revision of assessment, but several of the Poona talukas have been reassessed. The Government, in their resolutions marginally* noted, have ordered a material reduction both in the rate

of assessment and in the amount of increase to be imposed in individual cases, or on groups of villages, or on talukas; but I am dealing at present with the assessment as imposed by the survey on revision, with its effect at that time and since upon the relations of creditor and debtor, and with the mode in which it may have operated to dislocate the amicable relations hitherto existing between them.

* No. 5739, dated 29th October, 1874.
No. 4515, dated 11th August, 1875.
No. 5200, dated 11th September, 1875.
No. 5133, dated 9th September, 1875.

14. We have been favoured by Colonel Francis with returns showing the former and revised assessments in the talukas of Bhimthari, Indápur, Sirur, and Haveli. To illustrate the effect of the new settlements on the villages concerned I note the following cases, premising that they are not selected, but are simply every fifth entry :—

Enhancement of revenue at the revised survey assessment.

Taluka and village.	Old assessment.	New assessment.	Old average rate.	New average rate.	Cultivated area.	
					Old.	New.
Bhimthari Taluka.	Rs.	Rs.	Rs. a. p.	Rs. a. p.	Acres.	Acres.
Mirwadi	820	1,680	0 6 9	0 13 8	1,951	1,963
Bori Aindi	1,375	2,318	0 7 5	0 10 0	2,953	3,721
Wálki	1,545	2,690	0 10 4	1 0 1	2,398	2,526
Pánaoli	342	453	0 5 11	0 6 4	913	1,150
5 Khutbar	867	884	0 6 2	0 6 0	2,246	2,368
Bori Pardhi	1,051	1,869	0 7 1	0 11 3	2,371	2,665
Roti	490	658	0 5 5	0 6 2	1,440	1,702
Hingun Gadi	693	1,041	0 3 10	0 4 4	2,899	3,379
Sirsuphal	2,665	4,372	0 3 7	0 4 7	11,999	15,190
10 Pedgaon	1,180	2,138	0 7 9	0 13 8	2,440	2,569
Wadgao Darakar ...	628	1,031	0 9 10	1 0 2	1,024	1,019
Ambi Khurd	476	601	0 4 9	0 5 7	1,595	1,734
Chopdaj	865	1,231	0 6 4	0 7 10	2,191	2,503
Wálki	669	744	0 6 5	0 6 7	1,668	1,806
15 Mürum	2,130	2,911	0 7 9	0 9 5	4,395	4,963
Sonaoli	969	1,458	0 5 6	0 7 11	2,824	2,948
Jalgaon	1,770	2,625	0 7 2	0 10 3	3,941	4,089

In the three next talukas I will take every tenth entry only, as the record becomes cumbrous.

Taluka and village.	Old assessment.	New assessment.	Old average rate.	New average rate.	Cultivated area.	
					Old.	New.
Indápur Taluka.	Rs.	Rs.	Rs. a. p.	Rs. a. p.	Acres.	Acres.
Indápur	4,981	8,226	0 5 0	0 6 9	16,028	19,464
Bhaudgaon	1,242	1,854	0 6 11	0 9 11	2,888	2,999
Shetphal	1,394	2,102	0 6 4	0 9 4	3,510	3,607
Bhandi	469	780	0 5 10	0 8 8	1,286	1,445
Sugaon	533	979	0 6 7	0 10 11	1,288	1,484
Akola	1,173	1,751	0 5 3	0 6 11	1,636	2,217
Loni	1,261	1,860	0 6 3	0 8 8	3,249	3,429
Udhat	685	898	0 7 11	0 10 0	1,390	1,438
Sirur Taluka.						
Kanhur	4,177	7,401	0 7 0	0 14 4	7,790	8,279
Shikrapur	4,162	5,687	0 6 0	1 0 9	5,333	5,445
Shintakrar	203	373	0 11 0	0 15 4	272	390
Haveli Taluka.						
Ghorpari	890	1,891	1 2 8	2 4 11	764	819
Wadgao Sheri	475	931	0 7 5	0 12 3	1,027	1,213
Pashan	1,558	2,454	0 10 9	1 0 7	2,314	2,364
Nandosi	680	1,037	0 11 3	0 15 7	969	1,064
Phursungi	3,153	5,239	0 14 0	1 6 0	3,613	3,817
Mulkhed	669	1,098	0 14 6	1 5 7	740	814
Kolewadi	1,912	3,696	0 9 10	1 0 2	3,123	3,652
Pimpri	1,689	2,718	0 9 6	0 15 1	2,834	2,887

Enhancement not to be calculated as in Upper India.

In estimating the significance of these figures it must be remembered that the "old assessment" does not mean, as ordinarily in the North-West Provinces, the assessment of the *first* year of the expiring survey, but of the *last* year—*i.e.*, the year immediately preceding the introduction of the new assessment. The amount paid *during* the currency of the settlement increases as assessed land is brought under cultivation, and the increase between the first year of the original and the first of the revised demand is in most cases very much greater than would seem from the above figures. This will be illustrated presently, but before passing to the illustration, it must be further noted that "old cultivation" means the cultivated area in the year immediately prior to the new survey. The new survey shows in many cases different figures of cultivation, because in the districts which thirty years ago were the first to come under the present system of survey the classification of uncultivable land was often inaccurate, and included much which was cultivated during term of settlement and at revision was accordingly entered as cultivated. To this reclassification much of the enhanced assessment is due

The new assessment also, it must be added, represents the assessment on all assessable lands, though all assessable lands may not be actually taken up at the time of the survey. However, as a matter of fact, they almost all were taken up in the talukas now in question; the area of land not taken up is infinitesimal; and for purposes of comparison the assessment of the first year of the revised survey may be taken as the full assessment.

Illustrations of extreme cases of enhancement.

It will be well to note here a few of the extreme cases of enhancement, apparently not due to any errors of survey, and in which the increased area of cultivation does not account for much increase in revenue. In this, as in the previous figures, the entries under the old and new average rate should be noted for comparison :—

Taluka.	Village.	Old assessment.	New assessment.	Old average rate.	New average rate.	Cultivated area.	
						Old.	New.
		Rs.	Rs.	Rs. a. p.	Rs. a. p.	Acres.	Acres.
Bhimthari ...	Kasurdi ...	1,283	2,326	0 8 9	0 14 8	2,343	2,543
	Kedgaon ...	2,241	3,820	0 7 8	0 12 8	4,672	4,828
	Pargaon ...	4,086	7,962	0 9 1	0 15 4	7,214	7,637
	Naugaon ...	2,776	4,892	0 10 6	1 2 1	4,222	4,319
	Khopodi ...	489	960	0 9 0	1 1 7	873	875
	Dapodi ...	1,510	3,026	0 9 4	1 2 1	2,588	2,666
	Pátas ...	2,527	3,591	0 7 6	0 11 6	5,391	5,004
Indápur	Banda ...	6,787	10,528	0 6 3	0 9 1	17,348	18,482
	Warkuta ...	1,194	2,289	0 4 5	0 7 5	4,322	4,955
	Ajoti ...	559	1,163	0 6 3	0 11 11	1,438	1,562
Sirur	Talegaon ...	11,631	19,184	0 11 2	1 1 0	16,691	18,030
	Pimpli ...	662	1,006	0 10 3	0 14 8	1,037	1,099
	Kotasirur ...	2,440	4,742	0 4 0	0 6 11	9,610	10,905
Haveli	Bhamburde ...	1,094	2,459	0 10 9	1 8 3	1,633	1,618
	Hadapsar ...	3,288	5,599	0 14 4	1 7 9	3,676	3,773
	Nandira ...	1,041	1,706	1 2 2	1 14 3	915	900
	Balawadi ...	633	1,129	0 12 11	1 6 3	784	812
	Naugaon ...	1,693	3,227	0 8 2	1 13 5	3,330	3,849
	Kolewadi ...	1,912	3,696	0 9 10	1 0 2	3,123	3,652

Comparison of enhancement between the initial years of the two surveys.

In further illustration of the initial assessment imposed at the two surveys, I take the following figures :—

Taluka.	Average Collections.		Assessment of revised settlement on cultivated land (excluding waste.)
	First ten years of settlement.	Last 10 years.	
	Rs.	Rs.	Rs.
* Indápur	65,220	83,048	1,24,506
† Haveli (84 villages) ...	69,744	78,152	1,34,189

Taluka.	Average collections of first six years of survey.	Average collections of last ten years.	Revised assessment.
	Rs.	Rs.	Rs.
‡ Pábal (56 villages) ...	81,784 (Collections of first ten years.)	92,297	1,52,228
§ Supa (39 villages)	48,856	55,500	81,943
‖ Bhimthari (48 villages) ...	43,407	72,588	1,29,842

It is not very easy to any one unfamiliar with the local system of reports and tables to pick out figures like the above; but I have given the pages at which the figures will be found, and perhaps the Commission will be good enough to satisfy themselves of their accuracy.

The result would seem to be, then, that in the villages of the above five talukas of which the printed reports are before me the increase in 30 years was as follows :—

Taluka.	Collections of first period of initial settlement.	Revised assessment at expiry of 30 years.	Percentage of increase in the thirtieth year over the collections of the first period.
	Rs.	Rs.	Rs.
Indápur	65,220	1,24,506	90
Haveli	64,452	1,34,189	108
Pábal	66,508	1,52,228	85
Supa	48,856	81,943	68
Bhimthari	43,407	1,29,842	199

* Pages 39, 77, Indápur, No. CVII. † Pages 84, 90, Haveli, No. CXLV.
‡ Pages 120-123 and para 2, Government Resolution dated 29th October, 1874, No. 5739.
§ Pages 195-21 and para. 235. ‖ Pages 250-253.

Survey figures of enhancement in five Poona talukas.

The real increase is considerably greater, because the collections of the *first decade* were considerably in excess of the collections of the *first year* of the old survey. Finally, a statement furnished by Colonel Francis shows the percentage of increase between the assessment in the *last* year of the old settlement and the *first* year of the new—a single year—to be as follows :—

	Percentage.
Indápur	56
Pábal	48
Haveli	66
Bhimthari	63
Supa	32

Effect of survey enhancement.

The highest percentage of increase in any district in the North-West Provinces between the first year of the old and of the new settlement (a period of thirty years) has hitherto been 36, and this is in the exceptional because recently reclaimed districts of Gorakhpur and Basti: the average for the province is 16 per cent. The difference between the land cultivated at the old and the new assessment has been enjoyed by the agricultural classes in that Province for thirty years. At the end of that term they have undergone an enhancement of 16 per cent., once and for all, *over a term of sixty years.* Payment of a full assessment on lands broken up during settlement, as well as of a sum down for the right of occupancy, and further payment of enhanced revenue on the whole holding at revision, leaves but a scanty balance for accidents or bad years. The effect, moreover, of so great and so sudden a rise as 50 or 60 per cent. on the credit of cultivators is obvious; but that effect, in the case before us, must have been greatly aggravated from the fact that the introduction of these heavily enhanced assessments was synchronous with the commencement of reaction, failing credit, falling prices, and pressing creditors. The period during which the new demand was introduced ranged from 1868-69 to 1874-75. There were further circumstances attending the revision of the demand which will be noticed presently, and which must have added to the force of the blow struck by revision at the value of landed securities. For fuller information on this point, we want a return showing for the districts which have come under revision figures for the last ten years giving the number of processes, the number of sales and of remissions, the amount of land thrown out of cultivation, and the amount of interest or fines annually levied on arrears. The Collector of

Poona has stated that "the difficulty of collecting the revenue has largely increased" (No. 1992 October, 1875), giving as chief among other reasons that—

"Most of the land is mortgaged, and that the money-lender has to pay the assessment, which he will not do until he has exhausted every artifice to obtain a reduction of assessment."

I think the above considerations justify me in placing *the excessive enhancement of the revised settlements* as third among the special causes which have combined to disturb the relations of debtor and creditor in the Poona district, and the adjoining Ahmednagar district, in which survey will shortly commence.

Great prevalence of Marwaris in the Deccan.

15. The only other cause which I have to specify here as specially affecting the Deccan is the extent to which it has appearently been made the scene of the Marwaris' operations. I speak of course with no personal knowledge, but I am told that the Marwaris are peculiarly numerous and active in the Deccan, and as they are the most pushing and unscrupulous of money-lenders, it is probable that they have not spared the ryot at this crisis.

16. So much for the causes of indebtedness generally, and for the special causes which have combined with them in the disturbed tracts to tighten the relations between the money-lenders and the cultivating classes. With the immediate motives for the outbreak I am not at present concerned. The Commission will deal with them in due course. What I wish to bring together here are the causes which made the districts ripe for mischief.

Action on the cultivating classes of the above causes.

17. The condition of the ryot, as he is to be found in the districts of Poona and Ahmednagar, is then the result of all these concurring causes. The reports of district and other officers will be quoted to support the following brief description of what that condition now is.

Sketch of the present condition of the Kumbi.

18. The Kumbi, especially if a headman, is occasionally prosperous and able to invest his little capital in petty loans: more often he is involved in the commencement or the midcourse of difficulties, the issue of which every day's observation of his fellows may teach him: and in a large number of cases, he either is in or is about to occupy the curious position which seems likely to be the outcome of all the expenditure in surveys. The position is that of a man recorded as occupier of his holding, and responsible for the payment of revenue assessed on it, but virtually reduced by pressure of

debt to a tenant-at-will, holding at a rack-rent from, and sweated by, his Marwari creditor. It is in that creditor's power to eject him any day by putting in force any one of the decrees he has against him; and if allowed to hold on, it is only on condition of paying over to his creditor all the produce of his land not absolutely necessary for next year's seed grain or for the support of life. He is indebted on an average to the extent of sixteen or seventeen years' payment of the Government revenue. He has nothing to hope for, but lives in daily fear of the final catastrophe. Under a so-called ryotwari system it is gradually coming to this, that the ryot is the tenant and the Marwari is the proprietor. It is a zemindari settlement; but it is a zemindari settlement stripped of all the safeguards which under such a settlement in Upper India are thought indispensable to the tenant. The proprietor is irresponsible; the tenant, unprotected. It promises to become not a ryotwari, but a Marwari settlement. The settlement is more and more between the Government and the Marwari, though neither declares the position. While the Marwari has no wish to possess himself of the land, but of its produce only, the Government, so long as the Kumbi is recorded as proprietor, hesitates to look below the surface. Hence the survey which found him thirty years ago in debt, but with thousands of waste acres to fall back upon, returns to him and finds him more in debt than ever, but with little or no reserve of waste acres. Nevertheless, it calls on him for largely increased payments; and the Marwari, on whom the increased payment falls, replies to the call not by remonstrating against the assessment, but by squeezing fresh bonds or by taking his debtor into court. The Kumbi's last state is worse than his first, and from all sides the pressure on him is increasing. To demonstrate the truth of the above sketch, I will quote from the reports of district and judicial officers, and give illustrations from the figures gathered by the Commission.

19. "It appears from the circumstances which came now and then to my knowledge connected with the realization of land revenue, that the condition of some of the landholders has been actually worse than that of day labourers. Though they with all their family members work hard throughout the year, they are obliged to take the whole produce to their creditors, and to stand at their mercy for livelihood and even for the assessment of land. They have no liberty to dispose of the fruit of their labour—a very grievous state of things indeed."

District Deputy Collector, Khandesh, para. 11, No. 108, dated 12th July, 1874.

"But what more than all keeps the people down is the unfortunately common custom of the ryot making over the whole of his crop to his sowkar, who takes it at his own valuation, often a most unfair one; and thus the ryot when once in the money-lender's hands is never allowed to get free."

Collector, Násik, No. 2518, dated 24th July, 1874.

"The ryots, especially in Sheogaon and Neware, are in a very impoverished state, and I believe that in numberless cases they are actually only cultivating as servants of sowkars, although the land may still be standing in their own names. The farm bullocks, and indeed everything of value, either belong to the money-lenders or are mortgaged to them, and these money-lenders sweep off the crops as soon as harvested, only leaving with the ryots barely sufficient to eke out a subsistence till the following year. They are too ignorant and powerless to help themselves, and gradually, unless measures are taken to protect them, must become extinguished as a class of tenant farmers, and must descend to be farm servants or labourers in the employ of Marwaris or other capitalists."

First Assistant Collector, Ahmednagar, No. 188, dated 6th July, 1874.

"The present land assessment is light and takes but a very small proportion of the produce of the soil; still there is a great deal of trouble in getting it paid. The people were said to be deeply in debt when the survey was introduced nearly thirty years ago, and it was hoped that the moderation of the new rates would enable them to free themselves. They are, however, more involved now than they were then, and the bonds registered in our offices show how hard are the bargains made with them."

Second Assistant Collector, Ahmednagar, No. 253, dated 4th July 1874.

"The difficulty of collecting the revenue has largely increased, owing chiefly to the fact that most of the land is mortgaged, and that the money-lender has to pay the assessment, which he will not do until he has exhausted every artifice to obtain a reduction of the assessment. * * * The majority of the cultivators are not *bonâ fide* in possession of their holdings. The land stands in their name, but they are practically tenants-at-will of their Marwari creditor, who pays the assessment and takes a portion of the produce—usually about one-half."

Collector, Poona, No. 1992, dated 4th October, 1875.

"It is to be feared that not two-fifths of the ryots in most parts of the district are *bonâ fide* in possession of their holdings, more than three-fifths of them being so deeply in debt to their sowkars that under our present Civil Courts system it is utterly impossible that they should ever get out of their power. It is the object of the sowkar to get his debtors thus hopelessly into his power, and when they are so they are little better than his tenants-at-will. But yet there is what to the ryot makes a difference; for in most cases the ancestral acres still stand in the ryot's name, and he lives by and cultivates them; as it is not as a rule the sowkar's object in the first place to get the land in his own name, since he cannot cultivate it himself, and often, when he has got it, the ryots of the village by combining not to cultivate for him make it less profitable to him than it was before. * * * As to what the exact condition is under which the ryot is allowed thus to continue in name the owner of his land and to cultivate his ancestral holding, it is a very simple one. He is allowed to do so just as long as the sowkar can get more out of him than he thinks he could from the land direct without his intervention."

Collector, Ahmednagar, No. 2899, dated 5th October, 1875.

"If full and careful enquiries were instituted in those districts where the condition of the ryot is reported as unfavourable, it would probably be found that a very large proportion of the cultivators have parted with their occu-

Collector, Dharwar, No. 67, dated 7th January, 1875.

pancy rights, and are now cultivating either as sub-tenants paying high rates or upon (to them) the most ruinous system of 'koré tenancy,' under which the ryot cultivates the land and hands over to his creditor the bulk of the produce."

Memorandum, Revenue Commissioner, Southern Division, No. 2492, dated 17th August, 1875.

"Of the condition of the people generally Mr. Boswell and his assistants give a very melancholy account. They are described as almost universally overwhelmed with debt, unable to cultivate properly in consequence (of which a striking example is given by the fact that Government having at great expense provided the means of irrigation so much required in the parched district for nearly 42,000 acres, the people have as yet been able to irrigate less than 500 acres), and rapidly losing their land which is passing into the hands of the sowkars. If what is stated by Mr. Sinclair—that the only ryots at all prosperous are those who having received some education are able to combat the sowkars with their own weapons, fraud, chicanery, and even forgery—is correct, it is deplorable to find that moral as well as material degradation has been the result of measures intended to promote the welfare of the people."

Statements of Subordinate Judges.

20. I will not give further extracts here, but of the forty-seven printed foolscap pages of extracts from district reports for the single year 1873-74, the greater part is occupied with similar statements. They will doubtless be sent on to Government with the Commission's report, and I will not refer to them here further than to say that from all parts of the Presidency the tale is in substance the same. But the collateral testimony of Subordinate Judges, who have good opportunities of making themselves acquainted with the nature of the relations between creditor and debtor, may be briefly noted.

Sub-Judge, Pátas, dated 8th September, 1874.

"The ryots within the jurisdiction of this court are involved in debt to an extent beyond all hopes of redemption, and they are completely in the hands of the money-lending classes. The ryots have learnt to view decrees, attachments, and sales with the utmost indifference, and will not move a step to protect themselves from the rapacities of the sowkars; hence the absence of any applications from them for a change in the locality of sales, notwithstanding their knowledge that their properties were sold in court at ruinous prices for them."

Pátas Sub-Judge's letter No. 27, dated 31st March, 1875.

"Occasionally specific agreements are made for a share in the produce. Rs. 50 are lent, in consideration of which the debtor gives one-fourth share in the produce of his land in lieu of interest only. In case of a good harvest, one-fourth share in a year's produce is equal to the principal amount. The assessment is of course paid by the debtor. If the debtor has not the means the creditor pays it, but he charges it on the debtor with interest.

Sholapur Sub-Judge's letter, No. 9, dated 27th March, 1875.

"Money-lenders generally buy such land, and it is seen that land is fast passing into the hands of sowkars from those of cultivators. The aim of the creditor is generally to possess himself of everything the debtor has; so

he never stops till his debtor has lost everything. Creditors, as a rule, buy the debtor's land. The lands are generally sold at an under-value."

Talegaon Sub-Judge, dated 14th June, 1875.

"The indebtedness of the Kumbi is increasing, and he is sinking deeper and deeper into the mire. A few rupees borrowed from a creditor in an evil hour often serve to deprive him of his immoveables and moveables and all, and oblige him to depend on his creditor for his very bread."

Illustration of indebtedness in Khandesh.

21. The returns asked for by the Commission showing the ratio of indebtedness to Government revenue in the disturbed tracts have not yet been received. But Mr. Pollen, Second Assistant Collector, Khandesh, has sent us detailed statements for eighteen villages in four talukas of that district, the result of careful personal enquiry, village by village, which give the following results :—

Taluka.	Number of villages concerned.	Number of families.	Amount of assessment.	Amount of debt.
			Rs.	Rs.
Suoda	5	459	6,959	2,17,367
Chopra	4	559	17,411	4,37,628
Nasirabad	5	547	19,317	1,65,247
Jámner	4	474	16,162	76,293
	18	2,039	59,851	8,96,535

Illustration of indebtedness in Ahmednagar.

The indebtedness varies from four to thirty-one years' revenue in the above talukas, and averages 14·9. The family average debt ranges from Rs. 160 to Rs. 782 and averages Rs. 444, with an average assessment of Rs. 29, or fifteen years' assessment.

In ten villages of the Ahmednagar Collectorate (taluka Párner), enquiries made during our recent tour showed these results :—

Total number of khatas	1,013
Total number of indebted khatadars ...	355
Total number of indebted khatadars paying between Rs. 5 and 20 revenue	213

Of these the greater part owed sums from Rs. 100 downwards.

22. We have also at present before us the ratio of khatas held by Marwaris in eighteen villages of three talukas, and the amount held successively in the three decades 1854-55, 1864-65, 1874-75. They show, as has been noted, that the Marwaris do not, as a rule, desire to possess themselves of the land or to record themselves as proprietors, though in some districts they may be found willing to do so. They usually prefer to keep the nominal occupier on and to sweat him. It is only, as I understand, when a Kumbi has resort to a second money-lender, or is from any cause unable to cultivate, or has in his khata exceptionally good lands, that the Marwari steps in and causes a transfer of the proprietary title to his own name :—

Progressive increase of Marwari proprietorship.

Taluka.	Village.	Total number of khatas.	Revenue of revised survey.	Area.	No. of khatas held by Marwaris.		Assessment.	Area in acres.
			Rs.	Acres.			Rs.	
Indápur	Indápur	386	7,372	19,443	1854-55	5	133	426
					1864-65	22	211	702
					1874-75	36	912	2,189
Indápur	Bhowri	336	10,780	18,503	1854-55	15	221	453
					1864-65	10	..	..
					1874-75	18	888	1,438
Ditto	Nimgaon Khedki ..	186	2,657	8,252	1854-55	3	22	71
					1864-65	2	15-12	43
					1874-75	1	11	17
Ditto	Kullus	177	3,767	12,396	1854-55	1	12	49
					1864-65	2	24	82
					1874-75	3	80	294
Ditto	Lasumé	127	3,836	8,643	1854-55	..	..	..
					1864-65	..	..	..
					1874-75-6	..	330	548
Ditto	Palasdeo	178	4,001	7,417	1854-55	5	15	19
					1864-65	5	48	87
					1874-75	11	267	467
*Purandhar	Kusba Walhe	285	4,906	11,558	1854-55	27	..	1,038
					1864-65	29	794	1,040
					1874-75	31	933	1,143
Ditto	Khalod	183	3,025	3,114	1854-55	12	80	114
					1864-65	8	68	82
					1874-75	6	73	82
Ditto	Deweh	306	3,695	8,474	1854-55	13	105	106
					1864-65	17	177	172
					1874-75	19	209	214
Ditto	Veer	162	3,027	7,184	1854-55	6	20	43
					1864-65	10	228	207
					1874-75	10	245	240
Ditto	Kasba Sasur	384	4,645	5,692	1854-55	40	442	381
					1864-64	42	646	606
					1874-75	44	673	555

* NOTE.—The villages after this have not yet come under revision.

Taluka.	Village.	Total number of khatas.	Revenue of revised survey.	Area.	No of khatas held by Marwaris.		Assessment.	Area in acres.
Purandhar	Belsar	201	2,651	4,170	1854-55 1864-65 1874-75	18 19 19	187 260 240	244 274 236
Haveli	Wagholi	147	6,376.	8,319	1854-55 1864-65 1874-75	.. 2 4	.. 84 104	.. 111 87
Ditto	Lonikund	81	1,351	4,211	1854-55 1864-65 1874-75	.. 1 9	.. 6 145	.. 4 311
Ditto	Lohogaon	132	4,435	9,106	1854-55 1864-65 1874-75	5 5 5	248 161 280	578 351 704
Ditto	Loni Kalbhar	209	8,157	10,359	1854-55 1864-65 1874-75	3 4 10	66 68 450	81 81 490
Ditto	Nandosi	61	1,148	2,736	1854-55 1864-65 1874-75	3 10 17	102 215 503	156 309 573
Ditto	Hadapsar	204	6,438	5,066	1854-55 1864-65 1874-75	19 23 23	278 406 791	270 430 467

Further information needed.

23. To make these figures of more value as an illustration of the ratio of embarrassment to actual transfers, we should have a statement showing, so far as we can obtain the information, the indebtedness of each of the above villages, with the number of suits, and the decrees taken out against it in the last ten years. But this we have not as yet received.

Above extracts support the sketch of the Kumbis' position given in para. 18.

24. Enough, however, has, I think, been said to show that the sketch of the condition of the agriculturists given in a previous paragraph rests on the statements of the local officers, and is borne out by such figures as we have at the moment before us. The statements of the rioters and the villagers, taken before the Commission, give further and similar illustration of the extent of individual indebtedness, and the use which is made by the Marwari of the power which he exercises.

Grouping of the above causes under their respective heads.

25. I propose next to group under their appropriate heads the several distinct causes enumerated at the beginning of this paper. They fall into three classes—economic, fiscal, and judicial. Placing them under these three classes, I will illustrate at some length the working of the following causes which

I merely enumerated in the early part of my Note, *viz.*, the increasing pressure of numbers on a decreasing available area in its relation to assessment of the land revenue, and the mode in which the present law and procedure are obnoxious to the agricultural debtor.

Further remarks on pressure of population.

26. The *Economic causes*, then, which are now operating against the agriculturists in the Poona and Ahmednagar Collectorates are their ignorance, their increasing pressure on a decreasing available area, the poverty of their soil, their inherited debt, and the rapid fall in prices with its consequence of contracted credit. The second only requires further illustration, the others having been already dwelt upon.

Difficulties from increasing numbers of population.

27. The rural population in Bombay is comparatively small, and at first sight it will seem that any danger from this source is remote. It is not instant; but I think that the picture of growing prosperity sketched recently by the survey officers at revision is not so hopeful as to them it seems. The (to me) inaccuracy of the sketch is the more important, because on it, among other points, are based the proposals for large enhancements of revenue which we have seen. I think that the increase of numbers on a constant area is, of all, the most vital source of danger to a population almost wholly agricultural, and that in proportion as it is lost sight of will be the risk of artificially hastening the approach of serious difficulties by the action of the Survey Department. I will explain my meaning.

Proportionate increase of population, ploughs, &c.

28. I give below the proportion of increase in thirty years in the population, plough-cattle, ploughs, and houses in the several talukas of which the printed survey revision reports are before us:—

Taluka.	Plough-cattle.	Inhabitants.	Ploughs.	Houses.	
Haveli	42·8	12	19·8	7.2	
Pábal	11·39	2·7	12·4	4	
Supa	43·5	10·4	31·2	13	
Bhimthari ...	39·5	19	22·5	37	
Indápur ...	31	18	25	37	
Sholapur ...	26·8	25·8	111	...	Colonel Waddington throws doubt on the accuracy of the Sholapur return.
Bársi	51	18	60	35	
Karmála ...	23	5	37	8	

29. The survey point with perfect justice to the increase under the above heads and under the head of cultivation, in proof of the lightness of the last assessment and the increased production of wealth; they do not however draw the same attention to the *relative* increase, which appears quite as important. To me it seems very significant that the growth of population is out of all proportion to the growth of plough-cattle or of houses. While with increasing population there has necessarily been an increase in plough-cattle and the total number has grown, it seems that the *individual* property in stock or houses has decreased. The Indápur figures have not escaped the attention of Colonel Francis, who observes that—

Disproportion of plough-cattle and houses to population.

"Considering the large expansion of cultivation during the abovementioned period, the increase is less than might have been expected;"

and suggests that the season in which the census was made was, owing to drought, unfavourable to cattle, a good many having been sent for grazing elsewhere. The argument, which, if Indápur alone were concerned, might be accepted, loses force when we find that *all* the talukas with one exception show similar results.

The same fact recurs in the Sholapur Collectorate, where it attracted more attention. Colonel Francis writes:—

"Insufficient working cattle is another cause to which I should ascribe the bad state of cultivation to be due in some measure. Many of the small holders of land—cultivators paying less than Rs. 10—have not the requisite number of cattle for working their land."—*Para.* 18, *No.* 250, *dated* 14*th March*, 1871.

Colonel Francis does not add what proportion these small holders bear to the whole. In the ten villages of Párner recently quoted they form a third of the whole. Government have also noticed the fact in the orders of 19th October last on the revision of the Bársi taluka, where they say:—

"It is to be remarked that, if these returns are correct, agricultural cattle have increased in a much smaller ratio than either cultivation or population, and that the number of ploughs is still very small, averaging less than one to two holdings. The disproportionately small increase of plough cattle may, in a great measure, be attributed to the small area left of late years for grazing."

30. I know that to many the idea of overcrowding in the Poona and Ahmednagar Collectorates, with their unoccupied areas and their scanty population, will seem absurd. Colonel Francis points out that in Indápur the population is only 101 to the square mile, but adds:—

Pressure of population proportionate to quality of soil.

"There is certainly rather an unusually large proportion of unculturable land in Indápur; but deducting this, and making our estimate on the

cultivable area alone, the average number of inhabitants is only in the ratio of 119 to the mile. This shows a marked contrast to some of the Guzerat districts, where, according to returns given in one of the recent settlement reports, there are 522 souls to the same given area."—*Page* 54, *No. CVII., New Series, Bombay Selections.*

This, again, is true: but if, as I am informed, a single acre of cultivation in these Guzerat districts is equivalent to five such acres in Poona or Ahmednagar, the figures assume a very different aspect.

31. But to get a complete view of the position we must compare with this largely increased population the available waste area. It is obvious that if we find but little or no waste area the rapid increase of population assumes still more significance.

Decrease of available waste during settlement.

The available assessed waste at the three decennial periods of settlement in the *Indápur* taluka was as follows (pp. 37-38, *No. CVII., Bombay Selections*) :—

1. End of first decennial period ... 24,550 acres assessed waste.
2. Ditto second ditto ... 1,300 ditto.
3. Ditto third ditto ... 930 ditto.

In the *Haveli* taluka (p. 21, *No. CXLV*)—

1. End of first period ... ... 10,000 acres waste.
1. Ditto second ... ... 1,922 ditto.
3. Ditto third ... ... 634 ditto.

In the *Pábal* taluka (pp. 119-120)—

1. End of first period ... ... 18,858 acres waste.
2. Ditto second ... ... 18,349 ditto.
3. Ditto third ... ... 3,264 ditto.

In the *Supa* taluka (p. 195)—

1. First decade ... ... 26,302 acres waste.
2. Second ditto ... ... 10,003 ditto.
3. Third ditto ... ... 1,843 ditto.

In the *Bhimthari* taluka (pp. 249-250)—

1. First decade ... ... 43,000 acres waste.
2. Second ditto ... ... 2,000 ditto.
3. Third ditto ... ... none ditto.

In the *Sholapur* taluka (*para* 31, *Colonel Waddington's report, No.* 33, *dated* 15*th January*, 1872)—

1. First decade ... ... 28,000 acres assessed waste.
2. Second ditto ... ... 35,800 ditto.
3. Third ditto ... ... None.

In the *Bársi* taluka (*paras.* 26-28, *Colonel Waddington's report, No.* 564*A.*, *dated* 14*th August*, 1872)—

1.	First decade	...	... 35,490 acres assessed waste.
2.	Second ditto	...	... 15,164 ditto.
3.	Third ditto	...	... None.

In the *Karwale* taluka (*Colonel Waddington's report, No.* 921, *dated* 3*rd October*, 1873)—

1.	First decade	...	... 61,000 acres assessed waste.
2.	Second ditto	...	... 758 ditto.
3.	Third ditto	...	... 464 ditto.

While, then, the increase of population has ranged from 11 to 51 per cent. in the talukas specified, the absorption of waste has everywhere kept pace with the increase of population, until, speaking generally, the whole available area has been occupied. For further increase of population there is no further margin of waste.

Similar result of figures for the Southern Division.

32. Colonel Anderson has been good enough to favour the Commission with returns of cultivation for the collectorates of the Southern Division which I need not quote here, for this Memorandum is already running to an undue length. But the result is the same, *viz.*, a rapidly decreasing margin of available assessed waste.

33. Under the head of *Revenue*, which comes next, I have already given illustrations of the immense increase of assessment, and the significance of the illustrations will be more fully seen when viewed in conjunction with the figures given above of rising population and decreasing waste. It is evident that, in these circumstances, to make a large enhancement of revenue is equivalent to making a large deduction from the available area. In proportion as the increase in numbers threatens to burden the soil, sudden enhancement of the Government assessment—or, in other words, withdrawal of a large share of capital from the population—is equivalent to a hastening of overcrowding. The enhancement is no cause of the pressure, but it is a very important factor in estimating at any given time its rate of progress. To take the single illustration of Bhimthari—(*No. CLXV., New Series, Bombay Selections.*)—

Population has increased 40 per cent.

Available assessed waste has fallen from 43,900 acres to none.

The assessment has increased from Rs. 86,464 to Rs. 1,46,596, so that Rs. 60,139 annually have been suddenly withdrawn from the support of a population of 32,555, which has reached the limits of the soil, and which increases at the rate of 1·3 per annum. In others words, in the year before re-settlement 32,555 were supported on a fund of Rs. 7,93,112 (assuming the new assessment to be one-sixth of the assets* and deducting the former assessment), or an average of Rs. 24 per head. In the year following revision the sum was reduced to Rs. 7,32,920, and the individual amount to Rs. 22 per head, *which is equivalent to an increase of* 10 *per cent. in the population.* At the present rate of increase, in another thirty years we shall have, in round numbers, 45,800 souls on the soil, and there being no available waste, the individual sum at present prices will, *cæteris paribus*, be Rs. 116 per head. Land which was temporarily taken into cultivation during high prices will be abandoned and will further restrict the area. Of course I am perfectly aware that grain may be imported, or that the pressure of population may raise prices, or that cultivation may be improved, or that non-agricultural employment may be found, or that the surplus population may emigrate. Of this I shall have to speak when I come to the last part of this Memorandum, *viz.*, the extent to which the causes stimulating distress may be controlled by the Government. All that I am at present concerned to show is the action of the survey revision assessments on the population: in other words, the fiscal element of embarrassment.

Enhancement of assessment equivalent to increase of population.

34. There remains the *Judicial element.* No complaints have been louder than those against the courts—"*Courta chi upadrao,*" or "the court pest," as the people call it. I am persuaded that much of the odium attached to the courts is simply because to the courts is entrusted the duty of enforcing consequences. But it does not at all follow that because they may be traced in great measure to an unreasonable cause, there is nothing in the complaints that is reasonable. Nor, because all is not wrong, is it by any means proved (as a judge recently occupying a seat on the bench of the Bombay High Court has advised the Commission) that all is right. Between the "courta chi upadrao" of Bápu, and the assurance of Baron Larpent that "suits are now decided as quickly and as satisfactorily as they can be," there lies a wide and debateable ground.

Action of the courts.

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* *Note.*—I take this proportion on the authority of para. 11, Government Resolution No. 4515, dated 11th August, 1875, on the revision of the Mádha taluka, Sholapur Collectorate.

35. Mr. Lyon is infinitely better able than I am to lay his fingers on the weak points of judicial action (and by this I must be understood to mean not only the working of the courts, but the working of the law and procedure which the courts are bound to administer). All that I can do is to single out the points which in the opinions furnished by the judicial officers to the Commission are most insisted on, and to note them down as presumably the causes which, from the judicial side, make most against the agricultural debtor. I will enumerate them in order, and then support them in extracts from the opinions before us. I abstain purposely from quoting the opinions of revenue officers here, because I think that far more weight is due to the opinions of judicial officers on points coming under their daily observation in the course of their duties, than to the *ab extra* views of officers in the Revenue Department.

Judicial opinion on the point.

36. The following seem to be the points most insisted on :—

Point chiefly insisted on.

That owing to the great number of undefended suits, and the Kumbi's ignorance, the courts are in great measure powerless to prevent the enforcement of fraudulent or usurious contracts;

That decrees are obtained not for *bonâ-fide* execution, but as instruments of compulsion for the exortion of fresh bonds;

That warrants of arrest are similarly used;

That there is no limit to the period within which decrees are operative;

That the whole of a judgment-debtor's property, without reserve, is liable to be sold in execution of decree;

That land sold by decree of court is usually sold for much less than its value;

That the period of three years' limitation for suits for money debts not secured by the hypothecation of land compels the debtor to renew at compound interest or to be taken into court every third year;

That there is no law of insolvency.

37. To take the first,—*That owing to the great number of undefend d suits, and the Kumbi's ignorance, the courts are in great measure powerless to prevent the enforcement of fraudulent or usurious contracts.*

Powerlessness of the courts.

"The civil courts often become the direct cause of the Kumbi's misery. They have no means of ascertaining the actual extent and nature of the transaction which gave rise to the litigation, and are obliged to decide upon what is laid before them in the shape of evidence. The creditor is generally an intelligent man. He does not find it difficult to secure legal advice, and the witnesses, too, are generally under his thumb. * * * * None will allow the inspection of an account which has the taint of suspicion, unless forced to do so, during the progress of a suit. Even then many escape scot-free, I think, by simply deposing that they have no books, and the civil courts are powerless, for they cannot order the books to be seized so as to convict the deponents of their perjury."

Sub-Judge, Talegaon, No. 22, dated 14th June, 1875.

Courts powerless against fraud.

"Many of the money-lenders, while admitting that they have a trade of Rs. 12,000 or so, deny that they ever keep books, and never produce them in court. * * * Besides, they (the debtors) can procure no legal assistance, for the pleaders are dependent on the money-lenders for their business, and if a pleader takes up a case for the cultivator, not only is he not able to pay his fees, but the pleader would lose almost all his business from the money-lender. * * * I have often observed a valid defence set up by a debtor in a suit frequently withdrawn, and a judgment passed with his consent. The only explanation he would give is that it is useless fighting against his sowkar; that he would be the sufferer even if he succeeded in that solitary case."

Pátas Sub-Judge, No. 27, dated 31st March, 1875.

"I do not believe that the high proportion of cases decided *ex-parte* can be said to be due, even in a five-hundredth part, to the alleged unfair means practised to keep defendants in ignorance of suits filed against them. The defendants in these cases do not come to make any defence because they have none to make, or if they have any, they have no evidence to prove it. Ten or twelve in a hundred have any means to know the exact amount of their debts. A great number of these cases are brought on bonds or sumadustkhats passed by defendants, in which plaintiffs have to prove the execution only; while the defendants, whose defence may consist of non-receipt of consideration or part or whole repayment, have to prove the same. But very few of them have such evidence apart from the difficulty of making such proof."

Sub-Judge, Balsar, dated 28th September, 1875.

"When a defendant admits having executed a bond, but pleads that he has not received any consideration for executing it, or has received only part of the consideration stated in it, the burden of proving his plea lies on him, and his task is by no means easy. With regard to the plea that the amount of the bond was mostly compound interest at [redacted] exorbitant rate, such a plea is as a matter of fact scarcely ever successful. [redacted]oney-lender is sure to have accounts and bonds in support of his case; [redacted] sure to be plenty of evidence forthcoming that the accounts [redacted]st up and that the defendant deliberately signed the bond. [redacted]e Subordinate Judges in this district are much overworked, and [redacted]t time to investigate cases properly and to weigh the evidence."

Judge, Ahmednagar, No. 987, dated 29th September, 1875.

"I believe our Subordinate Judges are too hard-worked to allow, even if they were inclined to do so, of their going into the history of such cases as the one put forward by you, and if they were inclined they could do next to nothing. The Kumbi cannot read or write; he has no books of account. The court which was inclined to go into the old history of a case would have nothing but the sowkar's books to go upon, if he produced them; and he might choose, as often happens, to deny that he had any."

Judge, Satara, No. 1313, dated 6th October, 1875.

"Charging usurious rates of interest is the least of the charges that are constantly brought against them (the sowkars). As a rule, the Kumbi defendants do not raise any objection to high and heavy interest; 75 per cent is not an uncommon rate, but if this were all the Kumbis would make no complaint. *Damdoopat*, or double the amount of principal, is seldom objected to; but what they complain of, and what exasperates them, is the systematic cheating and roguery to which they are constantly subjected, and against which their utter ignorance renders them powerless, or their apathy and indifference prevents them from taking instant measures for protection themselves from the effects of the same. The ordinary charges against the sowkars are tampering of documents, suborning witnesses, garbling accounts, obtaining bonds, and refusing consideration; taking payments and denying them in court; never giving receipts; dunning people into compromises (often grossly one-sided) of their debt, and then refusing delivery of their bonds; to file suits on them, carrying away whole crops, bullocks, stores of grain, &c., and their flatly denying all knowledge of them. These frauds are practised with impunity in nine cases out of ten. The deluded Kumbi is lulled into a false security by all sorts of faithless promises, until a couple of years afterwards, being dragged to court, he is unable to answer the claim; or if he states a defence he is not in a position to prove it."

Small Cause Court Judge, Ahmednagar, No. 155, dated 29th September, 1875.

"If no new bonds are executed the ryots are brought to the court of justice. There the sowkar has everything in his favour, while there is nothing in that of the ryot's. He easily obtains a decree against them."

Sub-Judge, Ahmednagar, No 11, dated 20th October, 1875.

To the above may be added the following statement, showing the percentage of civil suits decided *ex-parte* (given at page 97 of Mr. Lyon's digest):—

	Proportions of suits decided *ex-parte*.	Proportion of suits relating to money or bonds to whole number of suits
Ahmednagar	73·0	6·3
Poona	67·5	
Sholapur	70·7	
Satara	73·4	

Mr. Lyon tells me that the proportion of *ex-parte* decisions is quite as large in England. Considering the judge's statement as to the character of many of these claims, we should expect the defended cases to be more numerous in India. In other words, the greater the proportion of fraud, the larger one would have expected to find the ratio of defence ; that it is not so seems to show that defence is hopeless. But I do not think that the coincidence or otherwise of English figures in very profitable in the present case.

38. The next complaint is that *decrees are obtained not for bonâ-fide execution, but as instruments of compulsion for the extortion of fresh bonds.*

Decrees used as instruments of extortion.

"After the decree is obtained the debtor has no alternative but either to pay the decree or to pass a bond for the amount including costs of court. Money, as a matter of course, he has not, and therefore he is obliged to pass a new bond for it.

Sub-Judge, Tásgaon, dated 14th August, 1875.

"On the 3rd of Chaitra of Shake 1788, Pandu bin Paraji (Patel) executed a bond for Rs. 100 to Shankerao Apaji (Gudbolé), the interest stipulated for in it being Rs. 21 per cent. per annum. When this bond was about to be time-barred, the creditor sued Pandu on it to recover Rs. 176 as follows :—

Principal	... Rs.	100	0 0
Interest	... „	96	0 0
Total	... Rs.	196	0 0
Payment	... „	20	0 0
Balance	... Rs.	176	0 0

and obtained a decree. In this suit the court expenses amounted to more than Rs. 24. The debtor had no money to pay in satisfaction of the decree, he therefore executed a second bond to the creditor for Rs. 200 on the 9th of Magh Wud Sake 1791. When the second bond was about to be time-barred, a suit was instituted on it on the 16th April, 1873, to recover Rs. 200 and interest Rs. 200, and a decree was obtained for Rs. 400 and costs, which is not yet executed. Court expenses in this suit amounted to Rs. 45-14-9.

"The following will show at a glance the history of the above debt :—

The principal sum borrowed...	... Rs.	100	0 0
Total of the interest on sum borrowed	... „	272	0 0
Total of court expenses ...	... „	69	14 0
Interest on the court expenses	... „	24	0 0
Total	... Rs.	495	14 0
Payment	... „	20	0 0
Balance	... „	445	14 0"

Pátas Sub-Judge's letter, No. 27, dated 31st March, 1875.

"These creditors generally keep three or four unsatisfied decrees against a man, some of them even twelve years old for occasions like these. Under pressure of executions they have, in many instances, realized the full amount of decree by obtaining new bonds or grain. The writs are returned unexecuted with endorsements 'property or person not found' * * * * Sometimes the property is attached and proclamation issued for sale. The decree-holder then applies to the court to drop the proceedings, alleging that the matter is to be compromised, but, as a matter of fact, occasionally he has extracted something from defendant for which no credit is given in decree. Under the pressure of execution mortgages are also obtained where there is anything worth mortgaging."

Sub-Judge, Talegaon, No. 22, dated 14th June, 1875.

"In the execution of decrees the civil courts have no means of lessening the vexation and bother which the creditor intends to give his debtor so as to extract money from him. In the year 1869 a man obtained a decree (No. 738 of 1869 of this court) for Rs. 80 and costs, to be satisfied out of the proceeds of the sale of mortgaged property and from the defendant. The amount of costs was Rs. 17-13-5, so the amount of the decree was Rs. 97-13-5. *This decree was executed nine times.* The cost of execution was Rs. 67-2-0, and the sum recovered under execution was Rs. 31-4-6. Thus, after nine executions, the amount still recoverable under the decree is Rs. 133-10-11. Another plaintiff obtained a decree in the year 1868 (No. 363 of 1868 of this court) for Rs. 60 and Rs. 14-3-9. *He executed it nine times.* The cost of execution was Rs. 24-8-1, and the sum recovered after decree out of court was Rs. 15, the receipt of which was acknowledged. The amount now recoverable under the decree after nine executions is, therefore, Rs. 83-11-10."

Sub-Judge, Násik, No. 50, dated 8th June, 1875.

"As regards the enforcement of decrees, the first step taken is to apply to the civil court. On the receipt of the application a warrant of attachment or arrest is issued. More than three-fourths of the warrants are returned with such reports as the following, and the applications on which they were issued are disposed of * * * * Sometimes the applications for the enforcement of decrees are made simply to keep them in force."

Warrants of arrest similarly used.

39. The above extracts cover in great measure the third point, that warrants of arrest are similarly used. To them may be added the following figures showing the number of persons arrested and the number actually committed to jail in execution of decrees during the year 1872 (p. 124, *Mr. Lyon's Digest*) :—

	No. arrested.	No. imprisoned.
Ahmednagar	327	80
Poona	428	427
Sholapur	359	106
Satara	461	226

Illustration given by Sub-Judge, Pátas.

40. The Sub-Judge, Pátas, furnishes the following illustration (suit No. 1705 of 1872) :—

A. obtained a decree against B. in 1863 for Rs. 40-3-4, on a bond stipulating to give 14½ maunds jowari in consideration of B. having received 7¼ maunds jowari. Date of decree, 9th April, 1863.

First application for execution, 25th November, 1865.

Application for warrant of arrest, 4th January, 1866.

This was returned unexecuted in March, endorsed "defendant not found."

"On 10th February, 1866, in the interval of issue and return of the warrant, the defendant passed a bond for Rs. 100 for old account due."

This bond was obtained under the pressure of the warrant and in lieu of the amount due under it. In 1871 A. again applied for execution "in respect of the original decree, which, on the face of it, appeared unsatisfied, although we have seen that the first bond for Rs. 100 was extorted in execution of that decree. Execution issued, attachment and notice of sale. B. paid A. Rs. 46 and the sale was stopped."

The Sub-Judge adds :—

"This is by no means an anomalous case. On the contrary, I consider that it fully represents a large number of cases.

Illustration from statements of ryots.

41. From among the replies given to the Commission the following will further illustrate the point :—

Tutya Saloo (Supa). *Q.*—"Why did you go on foolishly signing these bonds ?."

A.—"We could not help it. We could not pay up, and would have been put in jail if we had not paid."—(Page 3, *Lyon's Digest*).

Ramji Kesoji (Nimbgaon).—"*Every second year* an account is made up by the banya, and we are called upon to pass new bonds. We quietly pass fresh bonds for fear of going to jail and eventually losing all prospects of keeping our property from these banyas."—(Page 19, *ibid.*)

Dhondi bin Topalla (Kathale).—"Last year I gave him the produce of my field (worth Rs. 40) and passed a new bond for Rs. 80. I did so to prevent him from going to court and then taking me to jail."—(Page 28, *ibid.*)

Patta Kushaba (Dhalewadi).—"I have up to date paid him at different times Rs. 100, and passed new bonds every third year, for fear of taking the matter to court and then being put into jail."—(Page 40, *ibid.*)

Babaji bin Nana (Dhalewadi).—"He then made up his account and aid I owed him Rs. 100. I remonstrated with him, but finding that he

would not come round, I passed him a bond for Rs. 100. I thought that if I refused to passed the bond, he would drag me to court and put me in the jail."—(Page 42, *ibid.*)

"That after your petitioner left Major Wallace, the said Mulchund Leela Khán came to your petitioner and threatened that he would enforce his claim for the sum of Rs. 32,400, * * * saying that neither Major Wallace nor your honour had any power to prevent their going into court and obtaining decrees for immediate execution against your petitioner's person and property. * * * * It was thus that he so easily found the means of prevailing upon your petitioner, in his old age, to obtain from him almost unconscionable and highly iniquitous agreement, &c."—(Page 129-30, *ibid, Petition of Mr. Muhammud Khán of Tálpur to Commissioner of Sind*).

No finality to decree.

42. The next point is *that there is no limit to the period within which decrees are operative.*

The following table, showing the number and value of decrees of more than seven years' standing now in force (*i.e.*, executed within three years) in the Subordinate Judge's Court of Poona will bring out this point sufficiently for the present purpose, showing that 13 per cent. of the decrees have been kept hanging for thirteen or fourteen years over the judgment-debtors *in terrorem* :—

Year.	Number of decrees.	Value.	Amount realized.	Balance.
		Rs.	Rs.	Rs.
1861	24	1,861	107	...
1862	52	4,567	218	166
1863	38	4,716	171	135
1864	18	2,871	68	507
1865	68	5,169	215	466
1866	80	7,563	264	846
1867	78	8,713	281	1,877
1868	211	25,128	741	3,917
	569	50,588	2,065	7,914

Judgment-debtor's property liable to sale without reserve.

43. *That the whole of the judgment-debtor's property, without reservation of implements necessary to his calling, is liable to be sold in execution of decree.* This is the procedure under the present law and needs no demonstration. It is enough to note it here as the fifth of the causes to which the debtor's absolute ruin is generally attributed.

44. *That land sold by decrees of court is usually sold for much less than its value.*

"When immovable property is put up to sale, the creditor as a rule buys it himself. It is his interest to buy it for as little as possible, for so much money goes out of his decree, *which is a valuable source of revenue to him.*"

Sub-Judge, Pátas, No. 27, dated 31st March, 1875.

"That there is often some trickery in conducting the sales is a sadly notorious fact. But as we have neither the means nor the opportunity of detecting the black sheep though we have the will to do so, such trickery often passes undetected. The Sub-Judges cannot be present at the sales, they have their other work. The Názirs too cannot be present at every sale, especially at the sales conducted at a distance from the village where the court is located."

Talegaon Sub-Judge, No. 22, dated 14th June, 1875.

Inadequate prices obtained at public sales.

"Creditors as a rule buy their debtors' land. The lands are generally sold at an under-value."

Sholapur Sub-Judge, No. 9, dated 27th March, 1875.

"The majority of sales in court were made either by the attaching creditors or their nominees, and the general impression is that these purchases were effected at between 25 and 50 per cent. of the price which would have been realized if sales were held on the spot where the properties are situate."

Pátas Sub-Judge, No. 233, dated 8th September, 1874.

45. *That the period of three years' limitation for suits or money debts not secured by hypothecation of land compels the debtor to renew at compound interest, or to be taken into court every third year.*

Tatya Saloo (Supa)—"About two or two and a half years ago the banker said his bond was becoming time-expired, and he threatened to sue us; on that, one bond was passed for Rs. 50 on mortgage of one of our houses, and another was passed, I believe, for Rs. 100 on the other."—(Page 1, Lyon's Digest).

Krishna bin Sahti, Kumbi.—I owe Gunoo Kale Rs. 50. About three years ago I borrowed from him Rs. 25. About six months ago Gunoo told me that if his money was not paid at once he would bring an action in the court. I therefore passed him a new bond for Rs. 50, bearing interest at one and one-fourth pice per rupee per month."—*Ibid,* p. 12.

Working of three years' limitation rules.

"About four years ago I obtained from Sukdeo, Brahmin, Rs. 6 worth of *karbi.* I gave him afterwards Rs. 2 worth of grain. After about three years Sukdeo struck a balance of Rs. 25 against me. I had agreed to pay him interest at half an anna per rupee. About seven months ago he threatened to bring a suit in the court; I therefore passed him a new bond for Rs. 25, bearing interest at half an anna per rupee per mensem."—(*Ibid.*)

Ramji Kessoji (Sirur).—"Every second year an account is made up by the banya, and we are called upon to pass new bonds."—(*Ibid.* p. 19).

Nana bin Pabaji, Chauhan (Limbgaon)—"About twelve years ago I borrowed, on bond, Rs. 40 from Bhikoo Nemchand, Marwari, of Limbgaon,

at two pice per rupee per mensem, and purchased bullocks. In the first and second years I gave him in liquidation 10 maunds of bajri and 10 maunds of jowari, and in the third year passed him a bond for Rs. 175 on mortgaging one of my survey numbers."—(*Ibid*, p. 32)

Kesu bin Themba (Pimpalgaon)—"I cultivate Vinayak Rao Gole's field and give him one-third of the produce, and the Government assessment is also paid in the same proportion. About four years ago a dyke was constructed in Vinayak Rao's field, so he charged me with Rs. 7 as my portion of the cost. He purchased a 3-rupee stamp paper to write out the lease of the field in my cultivation, and I had taken from him Rs. 2 worth of grain; so in all I owed him Rs. 12, for which I passed a bond at two pice per rupee. In this I mortgaged a bullock to him. Last year the bullock was sold by me for Rs. 35. I paid this amount to my sowkar Vinayak Rao, and he then struck a balance of Rs. 8, for which I passed him a bond at half an anna per rupee."—(*Ibid*, p. 33.)

Patta bin Andoji, Kumbi.—"I owe only Rs. 5 to Sukdeo. I did not obtain this money in cash. About four years ago I got a loan of 50 bundles of *karbi* from Sukdeo. I had given him one rupee, but last year he pressed me for a bond of Rs. 5 on account of the transaction, which I have passed to him because I did not want to displease him."—(*Ibid*, p. 34.)

Tásgaon Sub-Judge's report, dated 14th August, 1875.

"The law of limitation here comes into play, which compels the creditor to call upon his debtor either to pay the amount or to pass a new bond for the principal and the accumulated interest. The poor debtor is obliged to pass, though reluctantly, a new bond lest the creditor should sue him and put him to greater expenses. Here the seed of discontent and discord is sown."

In an illustration given by the Pátas Sub-Judge, Shidu bin Piraji in 1789 Shake executed a bond for Rs. 12-8-0. In 1792 he is called on to execute another, which stands:—

Principal ...	...	...	Rs.	12	8 0
Interest ...	...	...	„	12	8 0
		Total	Rs.	25	0 0
Payment	...	...	„	5	0 0
Balance	...	...	Rs.	20	0 0

And for this balance of Rs. 20 a second bond is executed. In 1795 a third bond is executed, thus:—

Principal ...	...	...	Rs.	20	0 0
Interest ...	...	...	„	13	0 0
		Total	Rs.	33	0 0
Payment	...	...	„	15	0 0
Balance	...	...	„	18	0 0

Other similar instances are given in the Sholapur and Mareh Sub-Judge's letter, and Mr. Shumbu Pershad is compiling from accounts tables illustrating the regularity with which, subsequent to the introduction of the present law in 1859, bonds at compound interest have been renewed :—

Memo. by Sub-Judge, Ahmedabad, dated 1st September, 1875.

" Short duration provided for in the Limitation Act, though intended to prevent frauds and difficulty of proving a case when long interval has elapsed between execution of the note and the trial, produces great hardship, and furnishes opportunities to the creditors for cheating their debtors. The debtors belonging to agricultural or other industrious classes are harassed every two years for a new bond or payment of money. Creditors always leave a margin of one year as a measure of precaution. *If the law makes three years, they always make it two, because they may have to go to another place, or the debtor may go elsewhere* (*see* RAMJI KESSOJI *supra.*) * * * The two years is not a sufficient time within which a cultivator can pay money. Perhaps it was borrowed for his son's marriage, or for planting sugarcane, or making a garden, and it will require six or seven years to pay the debt."

Judge of Tanna, No. 1639, dated 17th May, 1875.

" In bonds founded on old bonds which have nearly run the period of limitation, it is impossible to estimate what small proportion of the consideration was an actual cash payment. The limitation law, a statute of peace, made for the purpose of protecting obligors, is practically an engine of extortion in the hands of obligors. When a bond is approaching the age of three years it is usual for the creditor to threaten proceedings and so reduce the debtor to pass a new bond, of which the principal and interest of the old bond, and sometimes a premium, form the consideration."

46. Finally, there is a general complaint that *there is no law of insolvency for mofussil debtors.* Here, again, I need not quote from the papers before me, for of the fact there is no doubt: and from the extracts already given, the position of debtors in the absence of any such law has been amply shown.

Distinction between the problem in Upper and Western India.

47. This finishes the enumeration of the principal causes which combine from different sides to weigh down the ryot, and completes the view of his present position which I have sketched in a previous paragraph. It serves, too, to bring out the salient differences between the nature of the problem in the Bombay Presidency and in Upper India. The main distinction is, I think, this, that whereas in Upper India the indebtedness of the landed proprietors is a purely political consideration, in the Deccan it is not a political difficulty only, or perhaps even mainly, but an economic. Nobody supposes that the landlords as a class in Upper India are likely to press on the land, or that their number induce them in any appreciable degree to fall into debt. The increasing ratio of population and the decreasing margin of cultiv-

able waste is not an element which in the North-West enters into the consideration of the matter, for landlords are, village communities included, comparatively few. The actual cultivating classes may be and are indebted, and so far as they are concerned the economic difficulty is as prominent as in Bombay. But, whatever the political danger in Upper India of driving the present race of proprietors from the soil, we have to remember, in assessing our land revenue, that with increasing numbers and with decreasing available land the smallness of their holdings must add to their difficulties, and that a large increase of land revenue is equivalent to an increase in population.

The next distinction is that, while in the North-West the money-lender desires to obtain possession of the land, in the Deccan he does not ordinarily do so till he is driven to it. The "sweating" process does not go on with us. A debtor is forced off his land; he is not kept on it as a tenant-at-will. And these two distinctions point to different treatment of the question and make remedies which have been suggested for the one part of India less applicable to the other. For example, it has been frequently proposed to prohibit the sale of land. But in a part of the country where it is found that land is as a last resource only sold for debt the proposal loses force. If the sale of land in execution of a decree were prohibited in the Deccan to-morrow, the Kumbi would be very much where he was before. He would still be ground to the soil, and his surplus produce would still go to his creditor.

Finally, under a direct ryotwari tenure the ryot is a tenant of the Government, standing by himself, unsupported by his fellow villagers, and has a stronger claim on Government aid and support than the coparcenary community or the zemindars of Upper India.

28. Bearing in mind these three "notes" of difference, and putting them in what seems to me their order of importance, we come to the three points in which I think our system acts unduly on the ryot. They are these: (1) that holding directly from Government as its tenant, and admittedly exposed from his want of education and his possession of the soil to greed and fraud, the ryot in this Presidency receives no protection or aid from the Government in his dealings with any but its own revenue officers; (2) that in assessing him to enhancements of Government revenue, arithmetical results are too rigidly applied, without sufficient regard to their effect on his economic condition; (3) that while his creditor possesses and uses great legal advantages in proceeding against him, and is able to keep him in bondage in virtue of decrees obtained against him, the ryot has no power of claiming at any period discharge from his obligation, and has not at time

of sale the protection allowed by the English Bankruptcy Act of a margin for tools of trade and necessaries, or of a minimum below which he is not liable to imprisonment. Nor does his imprisonment act as an acquittance of his obligations. Any one of these three causes, such as the first, will weight the peasant proprietor in his struggle with debt; any two combined, such as the first and third, will ensure his subjection; while the three combined, as they have been in the case of the disturbed tracts, will bring him to ruin. I do not believe that the heavy enhancements have led to the ryot's present condition any more than his ignorance, or his ignorance any more than the facilities which our system gives his creditor. But it seems to me, in the face of such considerations as those I have stated, quite unreasonable to urge—as it often is urged—that the revision of survey has nothing to do with the present crisis. It must have profoundly shaken security both by the heavy amount enhanced and by the utter uncertainty (from causes which I shall presently speak of) as to what the limits of the amount would be. If no revision had taken place, the position of both parties would have been as for years it has been. But this new factor of embarrassment coming in addition to the two others, and at a time of great depression and re-action, has, in my opinion, broken the relations between the creditor and debtor which at the time of its introduction were strained to the utmost. I have heard it stated that the disturbances were only the catastrophe of discontent which had long been on the increase; but while this does not account for their coming to a head at Poona rather than elsewhere, it leaves out of sight the action of the new element of disturbance at Poona, the force of which should be at least taken into account.

The ryot's ignorance. Desirability of bringing the sowkar within the village system.

49. I come now to the form in which relief seems advisable: and to begin with the first of the difficulties enumerated in the last paragraph. It is impossible to read the correspondence on the subject without seeing how potent a cause of a ryot's difficulties is his powerlessness to check accounts. As one of them says in his statement (p. 5, *Lyon's Digest*):—"I had to trust to the sowkar. I say to him, you are my mother and I am your son; say truly what the amount is." If Bála Saraji's conception of his relation to his sowkar was accurate such confidence would not be misplaced, but it is with the feelings of a stepmother rather than of any closer tie that his creditor probably regards him. I do not know that in any part of the world the profession of money-lending promotes liberal sentiments: but of all money-lenders, appeals to the better nature of a Marwari as a method of casting up accounts must ensure a

debtor balance. I was very much struck with the re-occurrence of a similar mode of thought in the depositions recorded before the Commission while in camp. On the one side, inability to exercise the smallest control over details, and the consequent necessity of trusting the creditor; on the other, in most cases, obvious untrustworthiness, showing itself in reluctance to produce accounts, and an utter inability to understand the obligation which rests with the creditor of scrupulously accounting for the proceeds of land made over to him in satisfaction of a debt. Often no accounts are kept, receipts are rarely given, satisfied bonds are not torn up. I am not at all prepared to say that I concur in the entire accuracy of the picture drawn by so many pens of the invariable fraud and insatiable greed of the sowkar; and on the other hand there can be little question that the ryot once involved rarely acts "upon the square." (Embarrassed men are mostly inclined to be rogues all the world over). But the immense opportunities which the present system gives to a body of Hindus whose only business is money-getting are more than the Hindu money-lender's nature can withstand; and I think that we should attempt to bring him, in his relations to the ryots, within the limits of the village administrative system.

Propsals of Mr. Fraser Tytler and Mr. Shumbu Pershad.

50. It will be seen from the old correspondence which we have collected that something of this kind was contemplated by Mr. Fraser Tytler, and was not unfavourably viewed by the Government of the day. In the papers recorded last year Mr. Shumbu Pershad, now a member of this Commission, put out a similar proposal, and my enquiries during the last two months have convinced me that without some system of this kind no remedy will be of much use, and have led me to hope that such a system is practicable.

Education powerless.

51. Education has been constantly urged as the proper weapon for the Kumbi in his struggle against debt. But experience has shown that from education at least little or nothing can be hoped. How any man acquainted with the people could for a moment suppose that the school-master would be beforehand with the Marwari I cannot conceive. Long before the agricultural classes are educated they will have been ruined, and whatever comfort education may bring to a ruined man, it will not furnish him with solid cash. For the purpose of this enquiry we must assume not only that the Kumbi is uneducated, but that he will continue so, and must treat him as a man unable to help himself. To shirk the difficulty by commonplaces about education seems to me dishonest indolence. Thirty years have shown *that* panacea, in this case at any rate, to be a

wind-bag, and if it is expedient to assist the agricultural classes, we must admit unreservedly that it must be, for many years to come, by other means than merely educating them. For thirty years Government has remained entrenched behind the lines of its *laisser aller* policy; and leaving matters to take their course, this is the course they have taken.

Previous proposals to this effect.

52. Putting aside for the moment the question of existing debt, and assuming that some such proposals as we are about to put before Government—such as are referred to in para. 56—are sanctioned, what I would wish to see done is in this kind. I would allow each village or group of villages an accountant of its own, holding a position like that of the Bombay kulkurni, or the North-west patwári, but solely entrusted with the duty of keeping the accounts of the ryots between them and their sowkars. I would make his signature to all bonds compulsory, and I would render it obligatory on the sowkar to record all bonds in his books and pass payment before him. He should give receipts to ryots for payments made to him on account (for which at present receipt is rarely allowed) and be responsible for their payment to the sowkar. Any item sued for by the sowkar but not shown in the village accountants' books should be irrecoverable unless the sowkar could prove that the accountant had refused or neglected to make the entry, and I would compel the sowkar to compare and sign the books yearly, entering, where they existed, the detail of discrepancies, and to record the details of all items above Rs. 20 and the aggregate of sums below Rs. 20, supported by index to the entries in his accounts, under penalty of inability to sue on the account. The accounts kept must follow the domicile of the Marwari, but the total annual liabilities of villagers resident elsewhere than the Marwari should be communicated by the accountant of the village concerned to the accountant of the village in which the debtor resides. The accountant should be paid by a cess on the revenue, and should keep a separate account for each recorded holder or his co-sharers. The expense of such a cess would be trifling compared to the interest now paid by the ryots. I would not in any way make the revenue staff responsible for the accounts.

Scheme of village accountants.

Consideration of objection urged to it.

The objections I have had urged to the scheme are that the accountant would combine with the Marwari, and that the business would be too large for him. As to the first, he might. But if it was his interest to keep his appointment, his interest would not lead him to collusion. The ryots would soon complain if they were regularly cheated, and the courts before whom he would

appear, would have ample opportunities of detecting and reporting an accountant whose books were suspicious or the honesty of whose accounts was often challenged. I think it may be assumed that it would be his interest to keep his office, and I do not see how habitual fraud would be consistent with such interest. Even if he cheated habitually and with impunity the ryot would be no worse off than he now is, with the exception of his fractional contribution to the cess from which the accountant's pay was provided. If the accountant, on the other hand, was only moderately honest, the ryot could have the protection of an independent set of accounts and a recognised accountant of his own, which would be simply invaluable to him, and which I think he would soon learn to appreciate.

As to the work being too much for a man who had no other duty, I can offer no grounds for my opinion that I do not think it would be. In large villages an assistant might be given, but if a minimum of Rs. 20 or so were fixed below which details need not be entered, as above suggested, I think the work would not be too much for one man.

I need not point out what an enormous aid to the courts such a system of accounts would be, how it would check the sowkar in fraud or exactions, or its value in keeping Government informed of the state of the ryot's affairs at any moment.

I have said that I would not hold the revenue officials responsible for the accounts. I would not make it imperative on them *suo motu* to enquire into or to settle any objections urged by the sowkar at the annual settlement of accounts. I would allow either side to sue in the courts for settlement of account if they could not come to an understanding, leaving it optional with them to refer the matter to the revenue courts, whose decision should in such case be final. But I would give the revenue officers power to inspect the village accounts at any time and to compare the entries with the ryot's receipts or verbal statements. There would be no power to alter the account, but the opportunity of ascertaining and testing the accountant's character in the village would be useful. The collector should have full power to dismiss an accountant at any time.

Expediency of utilising the sowkar.

53. The second point which I have to note in regard to this part of the subject is, that while thus bringing the village sowkar into the scheme of our village administration, we might, I think, utilize him and give him a sense of common interest with Government which would be very beneficial to both. I have been very much struck by the fact that the items of a ryot's debts by no

means bear out the charge of extravagance which are usually levelled at him. Ancestral debt is usually the heaviest item, and smaller items unquestionably occur for religious or social ceremonies, but the mass of the items are for his agricultural needs. He wants most of his money to pay him revenue, or to dig a well, or for grain seed or bullocks. For reasons which I need not now dwell on I believe Government land banks to be impracticable, but I think that any ryot requiring an advance for any *bonâ-fide* agricultural purpose should, on an order from the mámlatdár, be able to receive the necessary means from the sowkar, Government standing security and reserving a lien on his crop. The sowkar, on the credit of the Government security, would probably make this advance at a fair rate of interest, and the ryot's obligations would proportionately be lightened. I think that in utilising the existing machinery, and treating the sowkar with reasonable confidence and as a necessary and useful part of the revenue system, rather than by competing with him and compelling ryots to chose between him and Government, lies the safest and best mode of Government agricultural advances.

The system of accounts which I have advocated would make transactions of this kind simple, and Government would be aware of the precise degree of solvency of any ryot applying for an advance.

Scheme to be experimental.

54. Finally, I by no means wish it to be understood that I would force this system on the Province at large. I would try it experimentally in any taluka in which Government decides to aid in composition or settlement of debts, and in the first place it might be restricted to those whose debts had been compounded or settled, leaving it optional to any ryot to ask to open an account, and making it in such case compulsory with the sowkar to furnish the accountant with the present state of such ryot's account.

Preventive measures a *sine quâ non*.

55. Until the ryot has some means of keeping himself informed of his position, and unless the sowkar knows that he has such means, I am decidedly of opinion that all posterior remedies will be useless. The prevention is easier in this case than the cure. The mischief is done by the time the ryot is taken into court. The concurrence of opinion seems to me general that once in court the ryot, under the present system, is ruined: for he is utterly unable to produce before the courts, however willing they may be to help him, a fraction of evidence. As Sir John Strachey wrote in 1859 (though with reference to another scheme of prevention):—

"No reform of our courts will alone meet this great evil, and I believe it to be of the highest importance that the Government should not continue

to shut its eyes to the ruin in which this widespread system of fraud, or of something little better, is involving the proprietors of the land. They are incapable of protecting themselves: the Government must interfere in their behalf, or bear in the opinion of the people all the discredit of their ruin."

56. Behind any such scheme there lies of course the initial difficulty of the existing mass of debt. First, as concerns the disturbed tracts. The appointment of a Commission has unquestionably led the people (both Marwaris and Kumbis) to expect the interference of Government, and from what we gathered while in camp, I think we are agreed that both sides would be very glad of interference. Business is suspended for the present; the creditors are in many cases willing to compound at four annas in the rupee if the debtors can give security. The debtors who can give security have in some cases compounded, but the more general position is that the Marwaris are put under a ban. The village servants will not work for them, the sweepers will not sweep their houses, the water-carrier will not give them water; a woman in a village in the Poona Collectorate who recently sold one of them some *pân* was fined by the village punchayat. This is a state which cannot last. The Kumbi will soon feel the want of money, and the Marwari will probably be able to renew at high rates the bonds which have been destroyed. It is a bad precedent for the Government to help those who have so unscrupulously helped themselves; but after the expectations which have been raised, I think Government cannot draw back. And whatever is done should be done quickly, that both sides may know what they have to expect. Mr. Richey submitted some time ago a scheme to Government, which I believe has been forwarded to the Government of India. The Commission have since drafted two bills,—the one to give effect to Mr. Richey's proposals; the other to carry out a more comprehensive scheme of settlement. Legislation is necessary to enable officers to call in debts, record compromises, enforce settlements, and sell out absolute insolvents. I would treat any Kumbi who is unable to compound or to liquidate by private arrangement, and whose liabilities exceed fifteen years' revenue as a bankrupt, buy in the holding at the market rate, pay the claims rateably, or in full, out of the proceeds, discharge the debtor with Rs. 150 of necessary property, and hold the land as Government land, treating the Kumbi henceforth as a tenant, and charging the holding with a rent over and above the revenue-rate which would be sufficient to pay simple interest of the money advanced at 5 per cent., and eventually the principal. On repayment of the principal the land might be restored to the debtor or his heirs (if they still held it) on any terms which the Government desired. The Government should have a prior lien on the crops for pay-

Scheme for compounding present debt in the disturbed tracts.

ment of the rate imposed as it has for its revenue. If the debt could not be paid within any reasonable term, (such as a thirty years term), the Kumbi must be sold up and cleared off, a sufficient amount of land being reserved for him, as proposed by the Commission, within the limit of Rs. 150, to give him a livelihood. Any terms more favourable to the Kumbi than these would be an inducement to others in other parts to call in by violence the aid of the Government. Less favourable terms would fail to extricate the Kumbi. The net result would be that the debt would be cleared off; the Kumbi would either be sold up, or would become a tenant of Government, holding at a fixed rent-rate, for a term, a heritable but not a transferable right; and in case of his throwing up the land, it would be re-let to any one wishing to occupy subject for a term of years to the rent charge, or would be sold subject to a similar liability.

Proposals as to Collectorates similarly circumstanced.

57. As regards Collectorates similarly circumstanced with the disturbed tracts, power should I think be given in the Bills to Government to extend the enquiry as it pleased; and I think that in all the Deccan districts the enquiry should be introduced, taluka by taluka. The result would probably be that a considerable number of men will be found to be but little indebted: as many more involved to a degree in which composition, or instalments, or purchase by Government is necessary: and a minority hopelessly indebted and only fit to be sold up. Following on the close of the enquiry in all cases, I would establish the village accountants.

Other economic disadvantages incurable at present.

58. For the other difficulties which press upon the ryot from the economic side I am aware of no solution. If he would migrate to unoccupied lands, or if non-agricultural employment were open to him, his position would be improved. But the Government is probably not prepared for any State measure of emigration on a scale large enough to advantage the mass of ryots, while with the gradual contracting of local public works and the as yet under-trial experiment of cotton mills there seems little prospect of relief in this direction to the ryot. Thus the average amount annually spent in the Poona and Kirkee divisions in public works from 1865-66 to 1869-70 was Rs. 15,81,749: from 1871-70 to 1874-75, Rs. 6,06,114 only—an enormous loss of labour and capital to the district. The Bombay cotton mills are apparently mostly supplied at present from the crowded collectorate of Ratnágiri. From returns kindly furnished us by two Parsee gentlemen, owners of mills in Bombay, it appears that of 2,043 persons

employed in one case, 1,450 are from Ratnágiri, 128 only from Poona; in the other, of a total of 696 men 24 only are from the Deccan, 459 from Ratnágiri. It will be as long probably before relief is found in this direction as from improved cultivation. Where are the means for improved cultivation to come from among a people enslaved by their creditors? Not from those who can gain nothing by it. Nor, until he changes every habit of his life, of his caste, and his tradition, from the Marwari capitalist. I look upon these commonplaces as belonging to the "education" class of remedy. Unquestionably they are the true remedies. As unquestionably their action is so tardy and so remote that there must be a long interval during which the least objectionable intermediate measures open to us must be utilised, if it is found that the progress of the mischief threatens to outstrip the advance of the ultimate means of relief. It is in the adaptation of such measures that the experience of a civilized Government may be applied rather than in a *laisser aller* policy based on the irrelevant position that in earlier times and in other parts of the world remedies applied by inexperienced ignorance were worse than the mischief.

Fiscal source of difficulties. Gradual introduction of large enhancements of revenue expedient.

59. The fiscal source of difficulties to the ryot comes next. I shall not be understood to speak with any but the strong feeling of respect which every one must feel towards the Bombay system of assessment, when I say that in the recent revisions it has been unfortunately placed. Those revisions took effect after a period of great excitement, and at the moment when reaction had set in. The errors of the previous settlement necessitated enhancements which added to the new burdens. The Government in its Resolution No. 5739 of 29th October, 1874, has laid down rules limiting the amount of enhancement in individual holdings, single villages, and in groups of villages or talukas: and more recently has lowered the rates of revision, on the ground that prices have fallen since revision to a degree which could not have been foreseen; so that much of the objection on this ground has been removed. But even after such revision the enhancements are very heavy, *viz.*:—

Taluka Mádha ...	...	...	...	41½	per cent.
„ Bhimthari	...	...	...	37	„
„ Pandharpur	...	...	...	48	„
„ Indápur ..	...	...	..	39	„
„ Sholapur	...	...	...	41	„
„ Bansi ...	...	...	...	42	„

I think it would be well if the Bombay authorities would reconsider favourably (I believe they have expressed an opinion

adverse to it) the system now obtaining in the North-West of distributing considerable enhancements over a period of time. If with men of such larger incomes than are usual in Bombay, and with much smaller average enhancements it is found that a period of grace is necessary, it would surely be desirable here, where the holding is small and the margin of surplus narrow, and where enhancement averages, even after reductions, 40 per cent. In the one case a man may be brought to distress, but in the other to actual insolvency. And the argument applies with far greater force when we consider the small and precarious rainfall of the Deccan. Such a sentence as this seems to me, notwithstanding the great authority of the officers who are cited in it, to carry with it its own condemnation—

"It will be satisfactory to Government to find that Sir George Wingate, though adopting a different plan of estimating the amount of the increase which may be imposed upon Indápur at the revision assessment, has arrived at almost precisely the same result as I had worked out:—*that is to say, according to his estimate the increase should be 54 per cent. upon the present assessment, and my own estimate makes it* 53. So near an agreement as this *upon the complicated question of the re-assessment of a drought-stricken district like Indápur is very remarkable."—Colonel Francis, No.* 828, *dated 7th October,* 1867 ; *p.* 168, *Bombay Selections, No. CVII., New Series.*

It is to my mind much more remarkable that in a "drought-stricken" district, where "the question of re-assessment is complicated," an enhanced revenue of 54 per cent. should be imposed *uno ictû.*

Especial reasons for such a course in the case of the recent rise.

60. These very heavy enhancements are the more unfortunate because, as I implied in para. 48, they have been caused in great measure by previous errors in the survey itself. It is obvious that if assessments rise on any principle readily intelligible to the people, their pressure, however trying, cannot be said to have been unforeseen. But in the Collectorate of Poona, as in Sholapur, much of the increase is due to errors in the classification of soils at the last survey (while under recent Government orders the corrections themselves have in some cases been corrected) and to cultivable land having been omitted in the assessed number, or included as unarable and unassessed, which has now been brought into the assessed area. Thus, even after revision by Government under recent orders in Mádha of Sholapur—

"Of the gross increase of 41½ per cent., about 19 per cent. is due, not to increase of rates, but to the assessment of lands left unassessed at the original settlement, but appropriated by the cultivators during its term."

Para. 6, Government Resolution No. 4515, dated 11th August 1875.

Assessment applied on arithmetical data with too little regard to the opinions of district officers.

And it is the same, though in varying degrees, in other talukas. In Bhimthari, of an enhancement of 63 per cent. originally proposed, 10 per cent. was due to remeasurement. In Sholapur, of 77 per cent. increase, 10 per cent. was due to remeasurements, 27 per cent. to difference of classification. On the recent revision by Government, the revised classification of the recent survey has been again revised and lowered by Government. It is obvious this must introduce a further element of uncertainty into the value of land as a security, which at a time of falling prices and with the great contraction in the demand for local labour, and local expenditure of public capital, must prove most prejudicial to the ryot. In the causes of much of the enhancement, there should, I think, be found an additional reason for introducing the new assessments gradually.

61. Finally, as bearing on the relation of the enhanced assessments to the economic condition of the people, I venture to think that the Bombay administrative procedure, if I understand it rightly, is apt to press hardly on the ryot. I should not have felt justified in advancing this opinion if I did not find myself supported by a recent expression of opinion by His Excellency the Governor in Council, which I will presently quote. The assessment seems to me to be based too purely on arithmetical data, and to be applied with too little regard to the condition of the agricultural body who are expected to pay it. Now that the tenures have been defined and recorded, the Survey Department naturally looks to enhanced revenues as its *raison d'être*. Take in illustration the following paragraphs which I arrange in parallel columns. They are from the same letter and refer to the same taluka (*Colonel Waddington, No.* 921 *dated 3rd October,* 1873):—

"18. *The condition of the people, from the enquiries I have made, does not show that improvement which might have been fairly expected from the influence of the low rates of assessment and security of life and prosperity which the district has enjoyed during the last thirty years. Mr. Whitcombe attributes this state of things to the uncertainty of the rainfall, which renders the people careless in the preparation of their lands, &c., &c.* But I have no reason to suppose that their comparative want of progress is in any way due to over-assessment."

"31. The occupied area, according to the last year's account, was 271,194 acres, and the collections amounted to Rs. 1,06,897. By the revised survey the occupied area is 293,487 acres, and the proposed assessment thereon is Rs. 1,47,757, which is Rs. 40,860, *or* 38 *per cent. higher than last year's payments.*"

The officers, again, to whom the assessment is confided have nothing, and never at any time can have anything, to do with the administration of the collectorates; the officers to whom the charge of collectorates is confided have not, and never have had, anything to do with survey or assessment. Hence we find the spectacle of collectors and revenue commissioners contending against the rates imposed by the Survey Department, much as if the collectors and the North-West Board were to fight against the conclusions of a co-ordinate settlement authority employed temporarily in the assessment of a district with which for a period of nearly thirty years it had had no concern.

Thus, in strenuous opposition to the Survey and Settlement Commissioner, we find the Revenue Commissioner, Southern Division, writing like this :—

"Before closing this report which has cost me much time and labour, I beg earnestly, in the spirit of moderation inculcated by Government, to deprecate any very large increase of the assessments. I go so far as to recommend Government to be satisfied with a minimum of 25 per cent. increase on the whole area in all the talukas of the Sholapur collectorate, though I would of course not object to more if it can be obtained without over-assessment. I would also recommend that in any scheme of revision a limit of 50 per cent. increase should not be exceeded in any one village, and 100 per cent. not exceeded in any field, without suitable explanation" (20th April 1874, paras. 118-19).

So too, Colonel Francis :—

"I agree with the Collector that '77 per cent. is a large increase, and should have very careful consideration before it is finally adopted.' But considering the rise in the price of grain," &c., &c. (14th March, 1871, para. 38.)

The Bombay Government, by laying down *maxima* of enhancement, has recently tried to meet this anomaly, but has cut rather than solved the difficulty. So large an increase as 100 per cent. on an individual holding, or of 66 per cent. on a village, is still allowed without special sanction of Government. The passage I referred to above is the following. The italics are mine :—

"In the course of the close examination of the subject on which we had entered, we could not fail to perceive with what care and anxiety the officers of the Survey Department had gradually learned both to classify the different descriptions of soil, and also to assess, with reference to means of communication, proximity to market, command of water and other circumstances, the different rates of assessment to be paid by the occupants of the land to the Government. But at the same time we noticed that, under the system of survey and assessment which had gradually come into existence, there did not now exist, whatever might have been the original intention, that free interchange of opinion between the survey and revenue officers in the early stages of the transactions which is so desirable,

Bombay Government, to Her Majesty's Secretary of State for India, No. 39, dated 17th December, 1874.

and which may be regarded as one of the best guarantees for the soundness and equity of the operations. *The survey officers carry on their duties in a position of perfect independence of the revenue officers.* The lands are surveyed, the boundaries are marked, the names of the occupants are registered, classification is made, and the amount of rent to be paid by each occupant is fixed by the survey officers without any authoritative intervention on the part of the collectors. *It is not till the process has been completed for a district, and the results are about to be reported for the sanction of Government, that, for the first time, an opportunity for offering an opinion is afforded to the collector. But it is then too late.* It is impossible for the collector—he has not the means, even if he had the time—then to review to any good purpose so great a mass of detail, and he can only make comments of a general nature on the grouping of the villages, the maximum rates proposed, and the general financial results. We may well refer to the reports of the Revenue Commissioner, Southern Division, on a few solitary instances, for proofs of the labour with which an attempt at criticism of details must necessarily be attended. The survey officers being intimately acquainted with the whole, and prompted by the natural desire to uphold their own acts and to establish the advantageous results of their labours, must have great facilities for controverting the objections of the collector."

I may add that Mr. Pedder, who (an exceptional case) has had, I am told, experience both of survey and district work, admits in his "Leading Points regarding Revision of Settlements" (final para.) that—

"The enhancements of assessment already made have undoubtedly been far too great, and that Government might with advantage lay down as a general rule that the enhancement on a revision of settlement in the total demand on any taluka should not exceed 25 or 30 per cent."

There seems to me in the reports of revised settlements which I have seen an absence of information on one or two points which are cardinal,—the money-rates at which lands are sublet, for example. The limits of the assumed rise in prices vary again with the periods of computation selected by different officers (in Indápur for instance), and the rise in wages, which is at least equally important, is not I think alluded to. Importance is attached to the number of years' revenue at which land is mortgaged, though these returns are known to be frequently fictitious. The selling rates of the right of occupancy for land of the several classes in each year of the settlement are not given, though I should have thought we could have no better indication of rental value. What proportion of rental on the several classes of soil is taken by the Government seems to me nowhere demonstrated.

Adaptation of revenue system to special local peculiarities.

62. Mr. Richey has in view a system by which the settlement in tracts where the rainfall is precarious should be made less rigid than at present. I cannot pretend to aid him in the details of such a system, as applied to a part of the

country with which I have no acquaintance. But the principle is one which is at the present moment engaging the attention of the North-West Government in regard to its Bundelkhand districts, and if any scheme which could not involve haphazard remissions can be devised, it will unquestionably give a further relief to the ryot from a constant cause of embarrassment.

Third class of difficulties.

63. Turning now to the last of the three points noted in para. 48, it will be seen that the proposals for village accounts will, if successful, go very far to relieve the ryot. But I may assume for the purposes of this section that there is no change of system.

Two stages of relief.

64. Reserving till the close of these remarks the working of the *Courts*, I would note here that the relief which can be given by the *Legislature* concerns the ryot at two stages, which are distinct, and the remedies for which have little interconnection. There is, first, the stage at which the ryot, though indebted, is still solvent, and the second or final stage when he has become hopelessly embarrassed. To the first stage belong such proposals as a modification of the law of limitation or imprisonment; to the second, a law of insolvency, or proposals having for their object a revised procedure in the conduct of sales of land, or the reservation of a margin for necessaries and implements of trade when a debtor's property is sold. To begin with the first stage.

Law of limitation.

65. As to the law of limitation, the present term of three years, I believe, applies only to bonds in which immoveable property is not hypothecated, or to unregistered bonds, and in such case only if no interest is paid, or, if paid, is not acknowledged in writing. An acknowledgment in writing is rarely, if ever, given to ryots, and practically the term of three years is made to apply to all unsecured or unregistered bonds. But as we have seen, renewal is insisted on every *second* year, to leave the creditor a margin of time for accidents. The law of Damdooput, if rigidly enforced, is equivalent at 24 per cent. interest to a limitation law of four years. But it is doubtful whether it was rigidly enforced—that is, whether bonds were renewed so soon as the interest had equalled the principal, for the penalty was partial loss of interest only, and not total loss of principal and interest as under the limitation law; and in any case it was equivalent to a term double the period now currently allowed under the limitation law. We have nothing before us to show why the period was reduced from twelve to three years, but I suppose it was on the ground of public policy,

and to ensure prompt settlement of accounts. The rule, so far as we can gather, has worked prejudicially to the ryot, who, as Mr. Gopyram Hury says, perhaps has—

"Borrowed for his son's marriage after planting sugar-cane or making a garden, and it will require six or seven years to pay the debt. The longer the period, the more convenient it is for both parties to adjust their accounts. Two years—

(it may be observed, in passing, that this gentleman, like the Sub-Judge previously quoted, points out that the three years resolves itself into two)—

may be bad years, and the man has hardly been able to maintain himself, and expects that the third or fourth year may prove a year of plenty."

The period is apparently used to extort at short intervals renewal of bonds at higher rates under threat of proceedings. The people themselves seem pretty unanimous in ascribing much of their difficulties to the brief period of limitation, which compels them every second year to find ready money or to renew; and if twelve years seem an inordinately long time, seven (which practically would be six) might be worth consideration. I think that further enquiry and information is needed by Government before any new limit can be definitely proposed.

Imprisonment for debt.

66. The law of imprisonment seems to press on the Indian agricultural debtor with a severity wholly unknown to the debtor of the presidency town. Mr. Lyon in his Digest (p. 105) writes:—

"It will be seen from the following quotations that the law in force in India is much more unfavourable to the debtor than that of any other of the countries referred to. Even the Roman law was not so severe, as the debtor was discharged on delivering up his property. The law has been relaxed in India as to certain chiefs in Sind, and the most important provision of the Baroda Talukdars Act, the Ahmedabad Talukdars, and the Ajmere Regulation consists in a clause exempting these talukdars from arrest. Their property still remains liable. In the presidency towns the debtor can get off both imprisonment and all future liability on giving up all his property except Rs. 300 worth."

In England, before imprisonment for debt was done away with, the following was the rule:—

"In England (p. 120, *Digest; Extract from Lord Mackenzie's Roman law*) no debtor, generally speaking, can be imprisoned for a debt under £20; neither can the judgment-creditor execute all the writs of execution at the same time. The general rule is that imprisonment is a satisfaction for the debt unless the debtor die in prison, or escape, or be rescued; and hence, after that kind of execution, the creditor cannot seize his goods and lands also. Again, where a writ of execution against the real estate has been executed, the debtor's person or personal estate cannot be taken. But after taking the personal estate either the person or the real estate may be taken."

In India, imprisonment may be terminated by the debtor giving in a list of all his property, but he still remains liable in property at any time afterwards acquired till satisfaction of the debt, though he cannot be imprisoned twice on *the same* decree unless fraud is proved. But he can be imprisoned on any other decree.

67. Imprisonment for debt, if the debtor has any effects, is as a means of compulsion only another way of doing what is equally well done by sale of the debtor's property. In other words, as a means of compulsion the power to sell is, I should suppose, quite as efficacious. A man who had the means of paying but declined to pay would be as much alarmed by finding that his property was to go to the hammer as by receiving a warrant of arrest for his own person. Where, on the other hand, the debtor has no effects, he can even under the present law obtain release. The power of compulsion is intended to be used as a means for the enforcement of payment, not as a means for extorting usurious terms of renewal from the debtor. The double power of imprisoning, and at the same time, notwithstanding imprisonment, of holding the unsatisfied decree in *terrorem* over the debtor, gives the creditor powers beyond what are required for his purpose. For legitimate purposes of compulsion the power of sale is sufficient. If imprisonment is retained it might, as formerly in England, act as full satisfaction of the claim unless the debt has been fraudulently contracted. At the same time, so long as any compulsory power is allowed—and of course it must be allowed—it matters apparently very little what form it takes. Whatever it is, it will be used by the creditor as a means of obtaining fresh and favourable terms (the shorter the term of limitation the more often it will be used), and will be yielded to by debtors, such as those we are dealing with, who, though solvent if they would sell a part of their effects, prefer renewal at unfavourable rates to instant loss of property. All I can say is that, so long as the power of sale is left with the creditor, I do not think he should be armed (except in the case of a fraudulent debtor) with the further power of imprisonment, which seems to be habitually abused. There is of course the general principle that a man should be responsible in person and property for his debts. This we see aptly exemplified in the Bhil tracts of Khandesh, where agricultural debtors are sold among the Guzurs like cattle, and are, I believe, a new and very valuable form of property; but the English Legislature has taken a more lenient view, and I do not see why the provisions of the English law as embodied in 32 and 33 Vic., c. 62, should not be applied in India.

Imprisonment for debt used as a means of compulsion.

68. Then, as to the second stage, when the debtor has become insolvent. It seems opposed to all experience, but what I can learn of the character and habits of the agricultural debtor and his creditor on this side of India leads me to think that neither would care much for an insolvency law. The debtor does not wish for any arrangement which will help to get him off the land, and would prefer holding on as a nominal proprietor, at a rack-rent, to ouster and dispossession. The creditor would find the "sweating" custom more profitable than liquidation. Moreover, he does not ordinarily wish the land itself, and prefers to receive its profits, while the liabilities rest with the nominal proprietor. The agricultural debtor, if offered the alternative of freedom from all claims on condition of surrendering all property, or indefinite liability and nominal ownership, would, I gather from the information before us, ordinarily elect for the latter. What he wants is to retain the land, and at the same time to get rid of his liabilities; and this is a desire which no insolvency law can gratify. If the amount of his debt is not more than the value of his land, he can himself liquidate it; if more, he prefers to immediate sale trusting to chance. It is on grounds of public expediency that an agricultural insolvency law can be best advocated; on the ground that it is desirable to put an end to the present state of things—to clear, that is to say, the insolvent off the land, and to compel the creditor to accept the outcome of his dealings; to become the owner of the land which at present he declines to take into possession, and to abandon the sources of profit which he finds in the sweating system. From this point of view I think that an insolvency law is *most* necessary; but that it would be popular with either section whom it concerned I doubt.

An insolvency law not likely to be much used unless made compulsory.

The draft Civil Procedure Code Bill contains a provision that after twelve years a decree should cease to have any effect. But this, again, will give no real relief to the debtor; for a sowkar ordinarily has by him several bonds, ranging over a term of years, and by obtaining on them decrees at different times he can extend the period so as practically to evade limitation.

Term of currency of decrees.

69. Again, as to the inadequate prices fetched at the sale of rights and interests in land in execution of civil court decrees. This is as frequent a cause of complaint in the North-West Provinces as in Bombay, the reason probably being the same in either case, *viz.*, that the amount and value of the liens on the rights sold are not known, and a purchaser other than the decree-holder has no knowledge of what he is buy-

Inadequate prices at sales of land.

ing. The court selling the land has the means of ascertaining, through the revenue authorities and from its own enquiries, most, if not all, of the charges on the rights and interests to be sold, and what those rights and interests are; and it should I think be compelled to do so, and to publish them with the notification of sale.

Sale of necessaries and improvements of trade.

70. By section 62, clause 2, Regulation IV., 1827, "implements of manual labour and such cattle and implements of agriculture as may, in the judgment of the court from which the process issues, be indispensable for the defendant to earn a livelihood in his respective calling, or cultivate any land that he may hold for that purpose," were exempt from attachment.

By the present law (section 205, Civil Procedure Code), "*all property whatsoever,* moveable and immoveable, belonging to the defendant, is liable to attachment and sale in execution of a decree." The draft bill makes no material change. By the English Bankruptcy Act, 1869, section 15, the tools (if any) of the bankrupt's trade, and the necessary wearing apparel and bedding of himself, his wife, and children, to a value, inclusive of tools, and apparel, and bedding, not exceeding £20 in the whole, are exempted from sale. By the Insolvency Act, Rs. 300 worth of property may, in the Presidency towns, be retained by the debtor.

We have no papers before us to show why the provisions of Regulation IV., 1827, were repealed, but there is a strong concurrence of opinion in all officers consulted that the exceptionally stringent conditions of the law as it applies to mofussil debtors should be relaxed, and that a margin of necessaries and implements of trade or calling should be reserved from sale to a limit of Rs. 150 or Rs. 200. On the expediency of this I cannot entertain a doubt. The Marwari is alarmed with powers, natural and legal, enough to warrant Government in depriving him of this extraordinary weapon, the *absolute* ruin of his debtor.

Summary. Land unless hypothecated for a debt, to be exempt from sale in satisfaction.

71. Modifications in the law of imprisonment and limitation, an insolvency law, a revised procedure for the conduct of sales in execution of decrees, and the exemption of necessaries from sale, would relieve the ryot from some amount of disadvantage on the judicial side; but so long as the courts and the debtor are kept, as at present, in ignorance of any but the last stage of the progress of the debt on which the court adjudicates, I do not believe that any of the above measures will bring sensible relief. A further form in which relief might be given is to allow of sale of land only for debts in regard to which it has been hypo-

thecated. This was earnestly advocated by Colonel Wingate, and subsequently by Sir William Muir, and seems, from the letter to the Bombay Government (at p. 313 of Mr. Lyon's Digest), to commend itself, so far at least as the Presidency town is concerned, to the Bombay High Court.

72. In collectorates in which it is thought unnecessary to introduce and gradually extend any such administrative measures as I have advocated for the protection of the ryot (or, if the plan is rejected, in *all* collectorates)—I mean the appointment of a village accountant—I am of opinion that *all suits for recovery of money by sale of land* should be heard by *one court only*; and that the court should not confine its sitting to one place, but should move about to specified points within its charge, and as much as possible at different times of the year. The court of the joint or assistant judge is the kind of court I mean, and it should be guided in its decisions by the principles laid down in the circular of the Punjab Chief Court in 1872: should especially enquire into the use of certain or undue influence in contracts: and should make liberal use of the power given in the Indian Contracts Act (IX. of 1872) to annul or modify contracts falling under section 14. The opinions furnished to Government and to us by the sub-judges and by many of the judges seem to me to amount to a confession of inability to do justice. They are tools in the hands of the Marwari who alone appears before them, who frequently furnishes them with no accounts, and commonly gets decrees on bonds obtained under all kinds of compulsion, and representing enormous compound interest. They have, moreover, so much to do that they are said to postpone for very long periods the hearing of defended cases in order to get through the files. I think it is very much to the credit of the subordinate judicial administration that it has expressed itself so clearly as to the position which it is compelled to occupy. But with the facts stated to them, Government can scarcely continue to have confidence in the efficiency of the present machinery. The High Court of Bombay have in several of their judgments interpreted, in a sense favourable to the debtor, the provisions of the law enacted in India. But when we find that a large number of suits are fraudulent, or rest on extortionate claims, and yet that only three out of every ten debtors appear to defend a suit, the judge's labour is in vain. If in consequence of his being unequally matched with his creditor, the debtor will not come to our courts, the only thing that can be done (unless we are to be satisfied with mechanical decree-grinding) is to take the court to the debtor. Similarly, if the courts can receive no aid from the executive, the only way

Suits for sale of land in satisfaction of debt to be heard by selected courts only.

in which improvement seems to me possible is by entrusting to a specially selected class of moveable courts the trial of all suits for money in which land is security (I assume that unless pledged as security land would be exempt from sale), and by arming them with considerable powers of revision over improvident contracts and contracts extorted by coercion. These powers should not be entrusted to courts such as those of sub-judges, but in the assistant judges there seems to be a machinery at hand which is not unequal to the duty. Mr. Richey, who also advocates this plan, is, I believe, working it out in greater detail.

Précis of objections to certain other schemes.

73. It only remains to add that I am opposed to any general scheme of prohibiting sale of land in execution of decrees of the civil courts, because I think so sweeping a measure unnecessary, because I should be very averse from prohibiting absolutely the transfer of land, which must, I think, follow the more partial measure, and because we cannot foresee the effects of such a measure on credit,—a matter of extreme importance when viewed, especially with a ryotwari system, in its relation to our rigid system of land-revenue payments. Other schemes do not go so far, but contemplate minor restrictions, such as those of Mr. West or Mr. Jones, are, I think, impracticable, because they require an amount of personal interference by the Collector which I am sure he could not give them, and because they require for success the co-operation of the debtor, who in the borrowing stage very often combines with the creditor, though he may resist him to the utmost when it comes to a settlement. Land banks on any scale large enough to be of immediate use are not I think likely to succeed. The sowkar would be opposed to them and would use his great influence against them, which, with a people habitually distrustful of Government measures, would be probably successful. I believe that in the existing agency of the village banker we have at hand a machinery which will be more welcome to the people and less cumbersome to the Government.

74. I wish, in conclusion, most cordially to acknowledge that I am mainly indebted to my colleagues in the Commission for anything in this Memorandum which may be found of use.

MATHERAN,
The 8th November, 1875.

AUCKLAND COLVIN.

Confidential.

MEMORANDUM BY MR. SHAMBHUPRASAD LAXMILAL.

The following are some of my views on the leading points connected with the subject on which the Commission are engaged. They are of course subject to alterations according as new facts and circumstances come to notice. I have placed them in the form of questions and answers in order to secure preciseness, and I submit them before the Commission in the hope that they will help them in their deliberation :—

PART I.

Question 1.—What are the causes which lately led the ryots in the Poona and Nagar Collectorates into open riot against their sowkars ?

Answer.—No inquiry was held as to the causes before the Commission, but from the information gathered outside, it appears that the riot was in some parts due to the natural antagonism subsisting between the sowkars, especially Marwaris, and the debtors, to the erroneous opinion formed that the looting of the sowkars was not quite a grave offence, to the alacrity and sympathy with which people similarly situated took up the notion, which in the end culminated into action. I am also inclined to believe that the riots had in what they did the support and countenance of the leading men of their communities.

Q. 2.—Point out the circumstances under which you arrive at the last-named conclusion ?

A.—1*st.*—The loss was chiefly caused to the Marwari and Guzerati sowkars only, and not to the other residents of the villages. 2*ndly.*—The villagers, after the riots, passed prohibitory rules as regards social matters, against the Marwari and Guzer sowkars, *e.g.*, no barber or a washerman, &c., was to give his services to them, and in these arrangements the leading men of the community took part publicly.

Q. 3.—Can you account for the reasons given in the newspapers that the riots were chiefly attributable to the introduction of the heavy rates of assessment in the revision ?

A.—It is obvious from the facts that the reason given in the newspapers are incorrect, as no revision has been made in the Nagar Zillah, where also the riots took place.

Q. 4.—If the information given by the papers is incorrect, can you state what has induced them to circulate such reports ?

A.—Either the desire to support the impression as to the heavy rates of assessment in the new survey, which was in the minds of the public prior to the riots, or the ignorance on their part of the true facts of the case.

Q. 5.—Was there nothing else besides the causes mentioned in the first answer, which drove the ryots into open violence ?

A.—There is one further circumstance ; the people hard pressed in debt were driven to desperation.

Q. 6.—How could they be called hard pressed in debts ?

A.—Usually the cultivators do not think themselves hard pressed in debts, though they are greatly indebted, so long as they possess any credit ; but when this is lost, when new loans are stopped, and measures are adopted through the civil courts for the repayments, then only they feel the pressure of their debts.

Q. 7.—How, on the present occasion, did they come to feel the pressure of their debts?

A.—Owing to a very large increase in the amounts of debts at present, as compared with past years.

Q. 8.—To what extent have the debts increased. and what are the causes of this increased burden ?

A.—There are no data before the Commission to ascertain the total amounts of debts in the Poona and Nagar Collectorates before and at present. However, the returns of a few specimen cases called for from those collectorates show the total amount of debts of 492 persons 15 years ago, and at present as given below—(*vide* Appendix A) :—

Poona.

251 persons	15 years ago	Rs.	28,775
	at present	„	1,81,687
	Increase...		1,52,912

Nagar.

239 ...	15 years ago	Rs.	14,385
	at present	„	1,28,696
	Increase...		1,14,311

The cause assigned by the cultivators for such a large increase in debts is the present Limitation Act, which obliges them to renew bonds every three years instead of 12 years as formerly.

Q. 9.—How can the renewal of bonds every three years now, instead of every 12 years formerly, have the effect of increasing the burden of debts?

A.—Now, when the bonds run for three years, and when at the end of this period the debtor is unable to pay off his debt, the bond is renewed, and in this renewed bond the sum originally lent, which was the principal in the first bond, plus interest upon it, is all entered as principal in the second bond. And again, in the third bond, the principal of the second bond, plus interest upon it becomes the principal, and so on. The interest becomes principal, on which interest again counts, so often as the bonds are renewed, and when 12 years are reached, a very heavy sum is shown as principal. As the principal so exaggerated stands in the regular bonds, the holder of the bonds possesses the full legal strength to recover his exorbitant claims. On the other hand, when the bonds run for 12 years, the document upon which the debtor could be sued showed only the real sum lent, and consequently the creditor had not the documentary strength to recover any exaggerated claims. The debtor was not bound up as at present into a documentary admission of having borrowed a large principal, and it was consequently open and possible for him to settle his debts quite fairly.

Q. 10.—How do you substantiate your above statements, as regards the practice of the sowkars in charging interest?

A.—I substantiate them by means of the figures taken from the accounts of some of the sowkars, which I have inspected, as specimen accounts. These figures are given in the statement annexed (Appendix B), from which it will be seen that very reasonable amounts are charged as interest in the account before the introduction of the new Limitation Act, and the heavy charges only appear in the accounts after the new Limitation Act.

The subjoined abstract shows the comparison of the accounts which existed before 1859, with those that continued after that year :—

	Before 1859.	After 1859.	Total.
Principal	2,601	2,928*	5,529
Interest...	1,458	4,418	5,876
Total...	4,059	7,346	11,405
Repayments...	3,456	2,777*	6,233
Balance...	603	4,569	5,172
Principal	113	832	945
Interest...	490	3,737	4,227

It will be seen that in the present total debt in principal of Rs. 5,529, Rs. 2,601 were borrowed before 1859 and Rs. 2,928 were borrowed after 1859; and out of the total amount of interest shown at the present moment Rs. 5,876, the sum of Rs. 1,458 appears in the accounts before 1859, and of Rs. 4,418 in the accounts after 1859. Thus when principal rose from Rs. 2,601 to Rs. 2,928, the interest rose from Rs. 1,458 to Rs. 4,418; or in other words against increase of 11 per cent in principal, interest has increased after 1859 at 200 per cent.

Q. 11.—What was the rate of interest charged before 1859 and what after that year?

A.—The rate has been the same, viz., 24 per cent, at which rate a given amount becomes double in three years.

Q. 12.—Why did not the sowkars before 1859, renew their bonds every three years, as they are stated to do now, when in those new bonds they could have entered double the sum originally lent, as principal?

A.—Now there is a legal compulsion to renew the bonds, unless which is done the claim becomes null. The creditor has a good cause in the eye of law to demand a renewal of the bond, and the debtor too sees the reasonableness of the demand. Formerly, when the bond was valid for 12 years, the creditor could not, though he wished, obtain the help of the court for a renewal of it within that period, and the debtor knowing this could not be made to acquiesce to the renewal. Thus formerly the creditor could sue the debtor for the re-

* It will be seen that almost the whole amount of debt is repaid and yet the balance of debt against the debtors represents a sum almost double the amount originally lent.

covery of his money within 12 years, but he had no legal strength to claim a renewal of his bond. Now he has legal strength to sue as well as to claim a renewal of his bond within three years.

Q. 13.—If, formerly, the sowkar could not obtain a renewal of his bond every three years, why did he not sue the debtor at the end of every three years when he could recover double the amount originally lent, instead of waiting till at the end of 12 years?

A.—1*st.*—It is true that at the rate of 24 per cent interest per annum, a particular amount of principal would be doubled in three years, and under the old Limitation Act, if a sowkar wished for decree from the court, there could have been no difficulty at all. But such a procedure of the sowkar stops the interest on the loan from the date of the decree, and further causes disagreement between him and the debtor, and consequently the cultivator takes another sowkar, and thereby deprives his former sowkar of all the benefits expected by him. Under such circumstances the creditors under 12 years' Limitation Act waited till 12 years. It is true, that in a few cases of well-to-do cultivators double the amount originally lent, or more than double was received by the creditors within 12 years, but such cases were exceptional.

2*ndly.*—This fact is also supported by the facts that before 1859 there were not many suits filed in courts before 12 years —the full period allowed by limitation.

Q. 14.—Can you give the details of all sorts of benefits derived by a sowkar, from the transaction with a cultivator?

A.—Almost all the necessaries of life are supplied to the cultivator by a sowkar, viz., clothing, grains, expenses of wedding, &c. The sowkar at the time of repayment of such loans deceives the credulous cultivator either in the value or the measurement, &c., of the grains.

Q. 15.—When you say that the sowkars are not inclined to disturb the cultivators, why may not the former yet get the bonds renewed for the principal only, that is, without adding interest?

A.—Generally, a man is not supposed to give away what he can obtain without any difficulty. Money is a great temptation in the world. If, however, one wishes to do as stated in the question, he is sure to run the following risks:—

1*stly*.—A defendant can easily prove when sued, that the sowkar has no right to ask interest at all, as no interest was charged in the bond at the time of its renewal.

2*ndly*.—If at all interest is allowed, the most he can get is the interest commencing from the date of the new bond, and whenever this amount does not become equal to the principal, the sowkar is a loser by the difference between what he now gets and what he could have got at any time within 12 years under the old Limitation Act.

Q. 16.—Let us know then what is your opinion about the present Limitation Act ?

A.—The substitution of the former 12 years' limitation in the place of the present three years', will greatly relieve the ryots from their debts. The opinion of Her Majesty's High Court also seems to be unfavourable to the present limitation. In their letter to Government No. 834, dated 26th July 1875, written *before the present enquiry commenced*, they state that, "the modern Indian Limitation Acts, fixing the period of three years as the limit of suits for money lent, supply a more cogent motive to the money-lender to make his claim than any action of the courts." The following opinion of the Judge of Tanna, given in his letter No. 1639, dated 17th May 1875, may also be quoted here :—

"In bonds founded on old bonds which have nearly run the period of limitation, it is impossible to estimate what small proportion of the consideration was an actual cash payment. The limitation law, a statute of peace made for the purpose of protecting obligers, is practically an engine of extortion in the hands of obligers. When a bond is approaching the age of three years, it is usual for the creditor to threaten proceedings and so reduce the debtor to pass a new bond, of which the principal and interest of the old bond, and sometimes a premium, form the consideration."

It is needless to dwell more here upon the working of the existing Limitation Act, as much has been said of its results by the ryots, sowkars, press, experienced officers, competent vakils, &c., and ample proofs of the same have been laid before the Commission.

2. The 12 years' limitation does not in any way make the position of the money-lending class insecure, or affect prejudicially the preservation and protection of their proper

rights, as it does not prevent any sowkar from filing a suit at any time within the 12 years. At the same time it will do away with the excuse in the hands of the sowkars, by which they now obtain from cultivators renewed bonds at the expiration every three years.

3. The cry for debts of the agricultural class has not only been raised in the Poona and Nagar Collectorates, but in Kaira too, which is considered to be the best district of Guzerat; and further, such a cry is prevalent in almost all the districts throughout the Presidency (*vide* Appendix C). In the fertile districts the cry is not so great yet, but by degrees it will be. Such also seems to be the case with the other presidencies, where also formerly the period of limitation was 12 years (*vide* Section 14 of Regulation III. of 1797 of Bengal Presidency and Section 18, Regulation I., of 1802, Madras Presidency.)

4. Section 33 of the report on the indebtedness in Jhánsi District of North-Western Provinces, dated 13th November 1873, shows the amount of debt as follows:—

	Rs.
Before mutiny... ...	... 16,874
Between 1857 to 1868	... 1,65,869
Since 1868	... 4,85,792
Total	... 6,68,535

Section 35 gives the reasons that "it may be guessed with tolerable confidence that the district was more in debt before the mutiny than this statement shows. Many debts of those days must have been settled and forgotten, and again a good many debts that originated in the former periods have, beyond question, been renewed and carried forward, so that they now appear in the later period only. But allowing the errors of this sort, I see no reason to distrust the broad fact which the figures disclose, that a very large part of the present debt has been laid upon the people during the last five years." * * *

It is stated above that "the good many debts that originated in the former periods (*i.e.*, before mutiny, 1857) have, beyond question, been renewed and carried forward; so that they now appear in the later period." I ask what made it necessary to renew the old debts after 1857. The answer is that the "Limitation Act of 1859" compelled them to do so. I there-

fore say that the total amount of Rs. 6,00,000 includes a good portion of the *old debts before* 1857 *and compound interest for more than* 12 *years thereon.*

5. It seems from a perusal of Section 218 of the new Civil Procedure Bill that the period for the execution of a decree has been extended from 3 to 12 years. This provision appears to have been made in the new Bill purposely with a view to avoid the frequent molestation to a judgment-debtor every three years under the existing law. The same reason stands good for the extension of the period of limitation for all debts from 3 to 12 years.

6. Also in England at present the period of limitation is fixed at 20 years (copy annexed as Appendix D).

7. In short, we can conclude, that the three years' limitation is the *chief cause* of large debts wherever it is in force.

Q. 17.—The limitation being extended, will not the ryots become quite careless for the repayment of their debts, and will there not be difficulty to the courts in ascertaining the true facts of the debts after a lapse of such a long time?

A.—In point of prompt adjustment of accounts, the three years' limitation has advantage over 12 years' limitation. But it will not be at the same time true to say that 12 years' limitation will engender carelessness on the part of the cultivators, as it may be noted that business with the cultivators did go on smoothly formerly under the old limitation. The question of the convenience of the courts in settling accounts is discussed separately. Further, the prompt adjustment of accounts under the three years' limitation is only practicable in the case of merchants and traders, who borrow or rather interchange money only for the time in the way of their business, especially in presidency towns. When the cultivating classes borrow money, the debtors and creditors both know well, that not only the principal, but even all the interest due thereon annually, will not be repaid within the short period of three years, as the payments solely depend on the condition of the season, of the cultivators' live stock, and the price of grain. Thus the three years' limitation is very inconvenient for the cultivators' transactions, as out of three successive years only one year gives a good crop.

Q. 18.—On what data might the former 12 years' limitation have been fixed?

A.—Nothing can be traced as to the circumstances which led to the period of limitation being fixed formerly at 12 years, but it must have been fixed by a reference to the rulings of the Hindu Law, in which it is laid down, (1), that the interest should in no case exceed the principal, and (2), that the rate of interest should never exceed twelve per cent per annum. The amount of interest at the above rate on a given principal becomes equal to the principal in course of 12 years. And it can be surmised that the above circumstance might have guided the legislation.

PART II

Question 1.—Can you give any other causes besides those you have already mentioned for the increase in the burden of debts?

Answer.—1*stly.*—No receipts are ever passed by the sowkars to the cultivators for the repayments made, though there may be a provision in the bonds, that either separate receipts be given for repayments or they may be acknowledged by an entry on the reverse of the bonds. The consequence is that such omission enables a sowkar to increase his demand.

2*ndly.*—The cultivators being quite ignorant of reading and writing, false claims are sometimes preferred against them, on bonds signed by a stranger, and supported by two witnesses.

3*rdly.*—When the land is mortgaged, the sowkar does not credit the cultivator with its product. If there be a provision in their agreement, that this product is to be received by the sowkar, in lieu of the interest, the sowkar is justified in so doing, but not when this is not the case.

4*thly.*—Generally, a sowkar has two separate accounts for one cultivator, viz., one for cash and the other for grain. The sowkar does not give credit, at the proper time, in the cash account of the cultivator for the value of the corn received by him, in excess of the quantity lent. Such excess being not adjusted at the time, the cultivator does not only lose the value of it, but also its interest.

5*thly.*—The cultivators being uneducated, the sowkars increase their demands in different ways in adjusting their accounts.

Q. 2.—But why do the cultivators repay their loans without taking receipts?

A.—When the cultivators ask for receipts, at the time of part payment, the sowkars promise to give them at the time of the repayment of the whole loan, and on the cultivators insisting on getting them immediately, the sowkars ask for their full amount. Now the cultivators, being unable to comply with such a demand, and fearing other future loans will be stopped and that they will be sued in civil courts, are obliged to make the part repayments without getting acknowledgments.

Q 3.—Is there anything else which subjects a cultivator to loss?

A.—Yes. When bonds are renewed, the old ones are not returned as cancelled to the cultivators, but are kept by the sowkars, on the excuse that they are required to support the claims mentioned in the renewed bonds. But if this be the true object, the old bonds should be cancelled by an entry that the amounts therein entered have been accounted for in the renewed bonds; and in the absence of such a system the sowkar could prefer claims on the bonds thus kept and the cultivator would be quite unable to disprove them.

2*ndly*.—In the absence of any details or mention of the old bonds in the new ones, the sowkar possesses every facility to prove his claim on the old bonds as a separate dealing.

Q. 4.—Why does the defendant suffer the loss when he can protect himself by mentioning the above circumstances before the court?

A.—When the plaintiff has once proved the genuineness of the bond by the aid of his two witnesses, and when at the same time the execution of the bond has been admitted by the defendant, the burden lies on the latter to prove either that the full amount of the bond was not received by him or repayments made by him have not been credited by the sowkar. And in many cases the ignorant people do not even appear before the court on summons being served on them; thus *ex parte* decrees are often passed by the court.

Q. 5.—In what manner are bonds at present prepared?

A.—The circumstances under which the cultivators are compelled to give bonds to the sowkars and to renew them as the sowkars desire, have already been mentioned. As to the manner of preparing the bonds: say, for example, a sowkar issues a loan of Rs. 200 to a cultivator, he then causes the cultivator to pass four separate bonds, in the sum of Rs. 50 each, with a view to be able to get a decree from the court at much smaller expense as shown below. On a cultivator's failing to repay the money, the sowkar sues on one of the said bonds, the expense of which is less than if he had to sue on one bond of Rs. 200, and by the means of the decree so obtained from the court he gets the cultivator wholly in his power and obliges him to renew all the four bonds just as he likes.

Q. 6.—Could not a cultivator, through his vakil, expose the true state of facts before the court?

A.—Generally, the pleaders in the Mofussil take up the sowkar's business in the hope of getting some reward from him in addition to his regular fee. The poor cultivators, who could barely

maintain themselves, could hardly be expected to engage vakils.

Q. 7.—What steps should be adopted for obtaining fair justice from the courts?

A.—Mostly the courts being situated at great distance from the villages under its jurisdiction, the Sub-Judges should be made to move in their districts and to decide the cases, as they come before them during their tours on the dates fixed. Again, in each taluka, one paid officer should be appointed and be authorised to plead on behalf of the cultivators in such courts.

Q. 8.—How do you expect such a paid officer to do his duty with honesty?

A.—If some one out of the Government establishment be appointed to this duty, he will be careful, for the sake of his position, and may be more relied upon than an outsider. Moreover, the plaintiffs seeing themselves well matched, will not repair to the courts without due consideration.

Q. 9.—From what source should such a man be paid?

A.—This charge can be met from the local funds receipts, as for the most part they are made up of the contributions from the cultivators.

Q. 10.—Do you think any more provisions should be made to protect the cultivators?

A.—It would seem that some legislative enactment may also well be undertaken. The nature and circumstances of the case appear to require it. The Judges of Her Majesty's High Court of Judicature have, with the same view, ruled in their letter No. 834, dated 26th July 1875, that "inadequacy of consideration, when found in conjunction with any other such circumstances as suppression of true value of property, misrepresentation, fraud, surprise, oppression, urgent necessity for money, weakness of understanding or even ignorance, is an ingredient which weighs powerfully with a Court of Equity in considering whether it should set aside contracts or refuse to decree specific performance of them."

The law in force before 1859, *i.e.*, before the introduction of Act XIV. of 1859, as published in Regulation I. of 1823, with a view to protect the interests of the cultivators, may well be taken as a guide for what is now wanted.

In the preamble of the Regulation it is stated :—

"And whereas from the want of a regular system under former Governments for administering justice in matters of a civil nature, an uncertainty prevailed whether the terms of engagements entered into would be rigidly enforced, in consequence of which *cultivators were easily induced to grant written obligations for larger sums than were due,* and justice requiring that the consideration given for such writings should be proved; the following rules are therefore enacted to have effect from the date of their promulgation."

Almost similar is the state of the cultivators at present, but from different causes.

The Regulation provides*:—

" XXXVI.—Whenever a cultivator of the soil is sued upon an acknowledgment in writing executed by him, before the territory where it was executed came into the possession of the British Government, it shall be competent for him to plead that he did not receive a full consideration for the same, whereupon *the plaintiff shall be required to prove his debt,* in the same manner as *if no acknowledgment had been executed, and such sum only, as in the circumstances of the case is just and equitable,* shall be allowed in the decree."

In this provision, on the cultivator objecting to it, the bond is made null, and the sowkar is required to produce proofs in support of his claim independent of the bond. Thus the burden of proof lay with the plaintiff.

From experience of 60 years in the country, we learn that the cultivators are in constant need of money. They pass bonds on whatever conditions proposed by their sowkars. No receipts are passed to them for repayments. Further, they do not keep any accounts of the debts incurred by them. They are quite unable to prove that the contents of the bonds were not received by them, and the increase of debts produces great dissatisfaction all over the country.

Under these circumstances, it is a question for consideration whether provisions similar to those of 1823 should not be enacted, whereby the burden of proving the debt mentioned in the bonds may fall on the plaintiff, and he be required to produce in the courts all the accounts relating thereto. The special

* This provision is repeated in Regulation V. of 1827.

enactment in force in England for the benefit of such kind of people may be cited as a parallel instance (*vide* Appendix E).

Q. 11.—What do you think of the application of the Registration Act to all the bonds passed by the cultivators ?

A.—The cultivators and the sowkars having daily transactions between themselves, some such system should be introduced as would not be an obstruction in their daily transaction. Each of the cultivators should have a pass book in which all the transactions, both of receipt and payment, both in cash and kind, should be entered at the time by the sowkar. The cultivators should get the entries in the book read by some one of his acquaintance; if found incorrect, he should at once get the error rectified by the sowkar. All the bonds for, and above, Rs. 100 should be registered, and the true facts of the contents should be therein inserted, stating whether the amount received was in cash or on account of former bonds.

2*nd.*—An annual register of debt should be kept by the village accountant, from the pass books of the cultivators, and it should be submitted for the inspection of the Assistant or Deputy Collectors in the course of their tour.

Q. 12.—What is your opinion as to the period allowed for the execution of the court's decrees ?

A.—Formerly the period of 12 years was allowed for the execution of such decrees, and it has been for the present altered to 3 years. This shortening of the period has been the cause of great annoyances and misery to the cultivators; and it seems desirable that the former period should be restored. Happily in the Civil Procedure Bill,* now under discussion, the period of 12 years appears to have been adopted as the proper period. This Bill, however, at the same time provides that a decree becomes altogether null after a period of 12 years. This measure, as concerning the whole public, must have received due consideration, but, so far as the cultivators are concerned, it may be said that it is sufficient if the period is extended to 12 years, irrespective of the question whether the decree after that time becomes null or not.

* Section 218.

Q. 13.—Is there anything else also to suggest with reference to the execution of decrees ?

A.—After a decree is issued, if any payments are made by the cultivator out of the court, such payments are not recognised by the court on the case again going before it at the instance of the sowkar. The courts being at long distances, it is

really very hard and almost impracticable for the poor cultivators to arrange to make payments through the courts alone. Often they have not sense enough to do this, and the sowkars would try their best to hinder them from doing it. Under these circumstances it seems very desirable to rule that payments made through the village accountants should be recognized by the courts. And bullocks, &c., should not be permitted to be sold as was the case in old laws. Much loss is caused to the cultivators at present by the attachment and sale of their cattle.

Q. 13.—If the cattle be not permitted to be sold, is it to be expected that money required for the purchase of cattle will be ever lent to the cultivator ?

A.—The person lending money for the purchase for the cattle should alone have the right to hold them on mortgage and sell them. if need be.

PART III.

Question 1.—What is the amount of the exorbitant rate of interest noticed above ?

Answer.—Generally the rate of interest is 24 per cent per annum.

Q. 2.—What is the common rate of interest ?

A.—12 per cent per annum.

Q. 3.—Why are the cultivators obliged to pay more interest than others (*i.e.* 24 per cent) ?

A.—Men of small means borrow money on low interest from wealthy shroffs, and lend them to the cultivators in the villages at high rate of interest.

Q. 4.—Why do not large capitalists make investments in villages through their servants ?

A.—The capitalists do not wish to transact business with those who have not the least idea to repay their money with interest in due course of time, and it is the case with the cultivators. For the recovery of money from such people the sowkars themselves have to be more cautious than the borrowers.

Q. 5.—As a rule, all the debtors should be anxious for repayments ; then why not the cultivators ?

A.—Though these people are desirous to repay the loans, there are many reasons for failure. As said before many cultivators not having sufficient lands at their disposal are unable to maintain themselves, and therefore no sooner is the crop ready than they use it to their own purposes, under necessity.

Q. 6.—Do you think that such cultivators can never free themselves from their debts ?

A.—Undoubtedly not.

Q. 7.—Why do the village sowkars continue to lend money to such cultivators when there is no hope for repayment ?

A.—Cultivators are generally like the Government promissory notes to the sowkars, because they do not lend money with a view to get them repaid in due course of time by the cultivators, but to get something in the shape of dividend annually ; and the sums thus received from such cultivators are deemed by the sowkars *as part of their annual income.* The sowkars therefore assist the cultivators to maintain their occupation as far

as possible. It is not to be understood that a cultivator requires loans only for particular occasions; he needs them for every daily purpose.

Q. 8.—Will you distinguish the loans usually taken from those taken for particular occasions?

A.—Sums required for food, seeds, and payment of Government dues are every now and then borrowed, and debts for such purposes are of frequent occurrence, and those required for bullocks, marriages, wells, &c., are occasionally borrowed and are therefore occasional debts.

Q. 9.—If the whole or larger quantity of corn borrowed for food during a year, &c., be paid out of the product derived during the same season, can the debts increase?

A.—It is quite impossible for a cultivator, possessing a small piece of land, to expect to clear himself of his debts, as he is required when repaying, to give double the quantity of the grains borrowed at the first time.

Q. 10.—Is it not possible that a great reduction can be made in the rates of interest if good capitalists invest their capital in the villages?

A.—Not only the rates of interest be reduced, but there will also be the advantage of the cultivators not being wrongfully extorted, as the large capitalists will transact business fairly, keeping regular accounts, and will acquaint the cultivators of their respective transactions. Many small capitalists in villages keep accounts very carelessly, and as the courts do not force them to produce the same, the irregularity in the accounts of such village bankers is one of the many reasons for the increase in the debts of the cultivators.

Q. 11.—State on account of what risks the village money-lenders charge exorbitant rates of interest from the cultivators?

A.—The rate of interest is heavy when there is any improbability of eventual repayment of a loan. The following are the chief causes for failure in repayments:—

(*a*).—Scarcity of rain produces insufficient crops, which barely meets interest even for the year concerned.

(*b*).—When a sowkar stops his transactions with a cultivator, whose debt has much increased, the latter carries his business to another sowkar.

(*c*).—When a cultivator owes to several sowkars, he, fearing that some one of the said sowkars would get his land sold, fraudulently transfers the same in the name of some person on receipt of a small consideration.

(*d*).—Further Government sells the land of a cultivator in case of his becoming unable to pay their dues in consequence of cattle disease or want of proper tillage.

(*e*).—If a cultivator fails to repay the loan out of his annual product, the sowkar is obliged to file a suit in court which would cost him much time as well as much money for defraying vakeel's fees and other charges.

*Q.*12.—What rate of interest is paid by a cultivator having sufficient land and good credit ?

A.—Generally 18 per cent per annum.

*Q.*13.—Why should such cultivators pay more than the common rate of interest ?

A.—When a sowkar has recourse to the court and obtains a decree, then in the case of the attachment of the crop in the field it is very difficult for the sowkar to watch over it, as he can do in the case of other kinds of property. Again, the Government dues should be paid, and all sorts of miscarriages from the crop are possible. Notwithstanding this, if a crop is once attached, the cultivator, with a view to stop the recovery by the sowkar, does not pull on his business with the same zeal and anxiety. Though such a behaviour of the cultivator is ruinous to his own interests, he pays no regard to it through enmity to his sowkar. For such reasons good sowkars do not make investments in villages. There would be no objection to the good sowkars to issue loans to the cultivating classes in the villages at a reduced rate of interest if there were no necessity for them to resort to civil courts.

Q. 14.—What would you propose to induce the good sowkars to lend money to the cultivators at a moderate rate of interest ?

A.—If the cultivators do not fulfil their agreements for the payment of the loans from the produce of their fields, the sowkars should get the assistance from the revenue authorities to recover the same as a revenue demand, without having to resort to the civil courts. I do not mean that the whole amount

lent by the sowkars should be recovered as revenue demands. These the sowkars must be left to recover in the usual course like any other creditors. What they should be helped in by Government is the recovery of their annual demands out of the produce of land, just in the same manner as tuccavee advances made by Government are recovered. These large capitalists who will come to the rescue of the cultivators are in fact substitutes of Government in the capacity of lenders of money for productive purposes. These advances are thus of the same nature as tuccavee advances, and the method of recovery in the latter case can well be applied to them (*vide* Section 13 of Regulation 17 of 1827 and Section 15 of Act 26 of 1871).

PART IV.

Question 1.—What is the debt of the cultivators in proportion to the assessment paid by them to Government for the land occupied?

Answer.—The accompanying statements* on account of 17 villages of the Nagar Collectorate show fully the numbers and limits of the debts of the cultivators in each village with reference to the Government land revenue payable by each. The result in the aggregate is as shown below :—

*Appendix F.

The total number of indebted khatadars...	Rs.	642
Total amount of debt	,,	2,24,238
Assessment of Government land possessed by the indebted khatadars...	,,	14,418

From the above figures it will be seen that the amount of debt is 15 times the Government assessment, and as the value of land may also be fairly fixed at 15 times the assessment, it would appear that the money lent is not in excess of the value of the property of the debtors. But this result is given only by the figures taken in the aggregate. If the figures with regard to each village separately are taken, the proportion between the amount of debt and Government assessment ranges from 5 to 45 times the assessment. If again the comparison is made with reference to each individual, the proportion is still more striking. The conclusion that these facts lead to is that the sowkars do not lend money only on the security of land. They lend large sums on personal security. When the cultivator has dealings with more than one sowkar the land is generally mortgaged to only one of them, and the others have lent money without having any security. The following detail of the amount of debt (Rs. 2,24,238) given above, shows this fact clearly :—

Sums advanced on the security of land	Rs.	77,974
Sums advanced on personal security...	,,	1,46,264
		2,24,238

Thus only 35 per cent of the total debt is on land security, and 65 per cent on personal security.

Q. 2.—Are there any other assets on which a sowkar could count for the recovery of his money, except the land on which the cultivator pays assessment to Government?

A.—Yes. The cultivators not only till the lands they themselves have taken from Government, but they also cultivate the lands on the names of others, who not having sufficient implements, &c., for agriculture could not themselves undertake the cultivation. They also cultivate alienated lands. Besides these the sowkar can also count upon the income which the cultivators derive by engaging themselves in various kinds of labour, in hiring their carts, &c. But above all the things which the sowkars principally take into consideration when lending, is the credit of the borrowing party. They very freely advance money when they are assured of the honest dealings of the opposite party.

Q. 3.--But does not the credit depend upon the property the borrower has?

A.—No: not wholly. Statements* are annexed, showing the position, property, and amount of debt, &c., in some representative instances of cultivators. The following is an abstract of these statements :—

*Appendix A and G.

Collectorate.	Class.	Total number of persons in each class.	Number of persons free from debt.	Number of persons in debt.			Out of the persons named in column 7.	
				Debts 15 years ago.	Debts 15 years since.	Total.	Number of persons whose debt is below 15 times the assessment.	Number of persons whose debt is above 15 times the assessment (including cases where debt is 100 and more than 100 times the assessment.)
1	2	3	4	5	6	7	8	9
Ahmednagar ..	I.	99	49	23	27	50	36	14
	II.	100	6	25	69	94	57	37
	III.	99	4	40	55	95	33	62
Total ..		298	59	88	151	239	126	113
Poona	I.	90	9	49	32	81	41	40
	II.	90	4	49	37	86	42	44
	III.	89	5	42	42	84	21	63
Total ..		269	18	140	111	251	104	147
Grand Total ..		567	77	228	262	490	230	260

It will be seen from the above that many of the cultivators, though in debt more than 15 times the assessment, stand as regards their credit in the first and second classes.

Q. 4—Can you assign any reason for the present large increase in the number of debtors over what it was 15 years ago?

A.—Borrowing and lending, or in other words, debt is an almost inseparable contingency in the business transactions of the world. It is not to be understood that a person who has large

and many debts standing against him, is a person of small position. Very often the very reverse is the case. Thus it is not a matter of surprise to find the cultivators borrow. They being people of small means and no capital have no alternative, but to borrow capital from others for their business. So they have now been borrowing, and must borrow in the future. It should not be supposed that 15 years ago there was not so much necessity for the cultivators to borrow. They borrowed then just as now, but not being under the injurious influence of the short limitation as shown above, it was possible for them to clear off their debts regularly. Now who have once become debtors, have ever to remain debtors, and this circumstance has swelled the number of debtors found at present.

There are also other causes independent of the Limitation Act. The cultivators have actually borrowed larger sums, and the sowkars have also more freely advanced larger sums, than before, which is due to the following circumstances.

By the introduction of survey, cultivators are constituted regular proprietors of the land they cultivate so long as they pay the Government assessment. Having thus acquired a permanent interest in the lands they occupy, they feel naturally a desire to improve their lands, *e.g.*, by sinking wells, &c. For this reason their borrowing increases. Again, the lands having been made personal property, and made saleable, the sowkars feel greater confidence in lending.

During the recent rise in prices, and consequently in the value of land during the American War, the sowkars without any demur lent to the cultivators even beyond the latter's capacity to repay, in the hope that in the event of the cultivator's failing to repay, they will effect a very good bargain by appropriating the land to themselves.

Q. 5.—Explain why, notwithstanding the rise in prices the cultivators were not able to clear off their debts.

A.—The profits to the cultivators by the rise in prices were marked only in the case of the cotton-producing districts. In the other districts, Ahmednagar and Poona for instance, the profits were not so great. But still they were sufficient to enable the cultivators to alleviate in some considerable extent the burden of their debts ?

Mr. Tytler, after his large and many years' experience, wrote of the Nagar Collectorate, at the time of his leaving India in 1862, as follows, about the condition of the cultivators :—

Interest.

Para. 4 of report No. 143, dated 29th January 1862. "A comparison of the past and present rates of interest, as exhibited in Appen-

dix B, affords, I believe, an excellent criterion whereby to judge of the progress of wealth. High interest is only one of the many germs of poverty. A poor nation and high interest, a rich nation and low interest, is everywhere the rule.

"The great fall of interest indicates unmistakeably a marked increase in the capital and wealth of the people.

"Good seasons and steadily rising prices have made of late a marked difference in the indebtedness of the ryots. Averse as they are to own improvement, they freely allow that they have, to a large extent, now shaken off the trammels of debt, which for years damped and depressed their energies."

The above was written in 1862, but unfortunately the new Limitation Act of 1859, which came into operation after the prosperous times of 1861, has not only counteracted the effects of the state of things above described, but has placed the cultivators in a more depressed state than before.

Q. 6.—It appears from your figures above given that the number of debtors and the burden of debt was much smaller 15 years ago than now. But it appears from very old reports, that even then there was a cry about the indebtedness of the cultivators. How do you reconcile these two circumstances?

A.—It is true, that in the old reports there is such a cry, but it cannot be assumed that the burden of debt then stood at such high figures as now. It may be allowed that in the number of debtors then and the number now there may not be much difference.

The cultivators ever being out of debt in a district where only dry-crop land is cultivated and the rains are very irregular, is an improbable circumstance. The cultivator has to maintain himself, family, and cattle, though there be not the least certainty for any crop. So formerly, as well as now, almost all had recourse to borrow. It may be also that the old reports complain of the indebtedness of the ryots as contrasted with the state of entire freedom from debt or the conditon of prosperous independent farmers. In the cry of the present day small indebtedness (perhaps unavoidable) is contrasted with excessive indebtedness.

Q. 7.—Do you mean that the proprietary right secured to the cultivators under the Survey Acts, is one of the reasons for the increase of debts; and if so, what good can be derived by its continuance?

A.—If the proprietary rights be now abolished, after they have once been conferred, it will have the appearance of depriva-

tion of rights properly possessed. The pain of loss after possession is much stronger than that of original poverty. And the abolition of the proprietary rights will form a matter of strong grievance on the part of the ryots.

There will be a breach of faith to the sowkars who have advanced money on the understanding that the land is saleable. There will be a regular decline in the material prosperity of the country. It is a plain fact that the cultivators themselves have no sufficient funds of their own to apply to improvements in lands, &c.; to do this they must borrow sums from others. When, however, the sowkars see that they cannot at all count upon the land, their lendings, whether on landed security, or on personal credit, will not be so large as now. Thus the cultivators will get sums at best just enough to carry on their miserable tillage. Improvements in land will thus be put a stop to, and great diminution made in the productiveness of the soil.

Thus, on the whole, the cultivators and others too with them will be worse off than now.

Q. 8.—How can the circumstance of the land being saleable or not be said to influence the sowkar in his lendings, when you have stated above that these transactions depend upon the credit of the borrower ?

A.—Credit is the aggregate made up of the material capacity and the honourable reputation of the borrower. The credit is lowered according as any diminution is made in either of these ingredients. The total absence of one of these impairs the credit considerably. Thus, when a sowkar advances, he, like every other lender, takes both these considerations into account, in determining the credit of the borrower. Thus, then, if the sowkar cannot count upon the land of the cultivators, he will still lend, of course, but he will not lend so freely and largely as he does now. What I should be understood therefore as saying is that the sowkars, as a rule, depend more on the side of credit that depends upon the honourable reputation than that which depends upon the material capacity of the borrowing party. It has been shown as a fact that the sowkars advance much beyond the material capacity of the borrower, and this excess in the lendings is a fair criterion of the credit that the borrower has independent of his property.

Q. 9.—If the land is saleable and are thus sold off by the sowkars in the recovery of their debts, the original holders of land will in course of time be deprived of their lands, and this being

the case, will it not be better in the interests of the cultivators that the land be made unsaleable, it being arranged that the sowkars are paid out of the profits of the cultivators?

A.—So far as the cultivators pay regularly from their profits, it is all well and good; but when they do not, what guarantee is there for their always doing so.

In most cases however it is impossible that any such arrangement can be made. The feasibility of such an arrangement depends upon what is left out of the cultivator's income after deducting his necessary expenses. The expenses greatly depend upon the number of persons in a family, and where the number of persons in a family is large, the income small, and the expenses large and incapable of being curtailed, it is impossible to pay the sowkar regularly out of the profits. A settlement in such cases cannot be made except by selling the land. Often the sowkar patiently waits for times of good season when he can get out of the cultivator as much as he can, and when he has no such hopes he resorts to sell the land. The cultivator in such circumstances can never be expected to be wealthy; if his land is sold all the members of his family will go to work on wages under others, and if his land is not sold yet, he will be allowed by the sowkar what is necessary to live upon. Thus it appears that it is best to leave matters to settle themselves between the sowkar and the cultivator, Government only interfering to see what the dealings are fair, and no undue advantage is taken by the sowkar of the ignorance and helplessness of the cultivator. The following abstract of Appendices A and H illustrates in figures the above facts :—

Poona.

Class.	Total Number of Families in each Class.	Number of Members in each Family.		Amount of Assessment.		Produce.		Expenses.		Debt 15 years ago.		Debt at present	
		Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
I. ..	90	1	32	8	370	30	1,275	37	1,214	7	3,000	25	16,000
II. ..	90	2	32	4	247	29	400	60	900	10	1,500	100	4,000
III. ..	89	2	20	1	132	1	377	30	596	3	700	50	4,000

Nagar.

I. ..	99	3	40	5	236	16	750	39	1,000	25	700	12	4,000
II. ..	100	2	25	1	85	19	442	40	400	25	300	25	1,700
III. ..	99	2	23	1	57	4	1,000	29	750	10	1,200	20	3,360

These results are drawn from the figures of income and expenditure given by the cultivators themselves; but if it be supposed that they are not wholly reliable, we can arrive at the same results in another way. The figure of assessment is certain, and the estimated annual income of a cultivator is five times the assessment. The annual expenditure also against each head may well be fixed at Rs. 25, or Rs. 2 per month. And according to this scale it will be found from the following table that land by itself cannot be depended upon for support in the cases of 340 holdings:—

Rate of Assessment.	Income of each hoding calculated at five times the Assessment.	Number of Persons dependent on the income shown in Column 2.	Nagar Collectorate.			Poona Collectorate.		
			Number of holdings that can maintain themselves on the income shown in Column 2.	Number of holdings that cannot maintain themselves on the income shown in Column 2.	Total.	Number of holdings that can maintain themselves on the income shown in Column 2.	Number of holdings that cannot maintain themselves on the income shown in Column 2.	Total.
1	2	3	4	5	6	7	8	9
Rs.	Rs.							
5	25	1	....	31	31	....	38	38
10	50	2	1	33	34	6	36	42
15	75	3	5	33	38	5	13	18
20	100	4	13	24	37	11	21	32
25	125	5	8	22	30	11	16	27
30	150	6	10	13	23	5	9	14
40	200	8	16	16	32	9	10	19
50	250	10	15	12	27	7	4	11
60	300	12	16	3	19	13	3	16
70	350	14	4	....	4	10	....	10
80	400	16	6	1	7	7	1	8
90	450	18	2	1	3	2	....	2
100	500	20	1	....	1	4	....	4
All over 100			11	....	11	25	....	25
	Add Poona.. ..		108 115	189 151	297 266	115	151	266
	Grand Total..		223	340	563			

NOTE.—The figures in columns 4 and 7 show the number of those holdings in which the number of family members does not exceed the figures entered in column 3.

2. The figures in columns 5 and 8 show the number of these holdings in which the number of family members exceeds the figures entered in column 3.

Even when the cultivator goes on paying his debt out of his profit there will be this effect. The sowkar will lend only to the extent the cultivator will be able to repay under the new arrangement. The sums so advanced will necessarily be small, and insufficient for anything beyond a miserable sort of tillage. Thus no improvements will be effected which in the end increase the productiveness of the soil.

Generally the sowkars do not wish to ruin the cultivators. As it is stated above, they look upon the cultivators as their Government promissory notes. Thus generally the cultiva-

tors, without the danger of their being deprived of their lands, obtain funds sufficient to enable them to effect improvements in their lands. But even in the extreme case, where the sowkar sells the cultivator's land, there is no damage done to the country or even to the cultivators themselves. When the land is taken up by the sowkars or some other wealthy persons, it falls in the hands of those who have means at their disposal to make the land best productive, and thus the country at large will be the gainer. As regards the cultivators themselves, it must be plainly understood that the sowkars or other wealthy persons who take up the land will not go to till it themselves. They will have to engage people of the class of the cultivators. Instead of working at their own lands, the cultivators, deprived of their lands, will work for others for wages. And people of small means, with prospects of earnings very precarious, with the anxiety for their debts, and incessant annoyances from their lenders, are the happier in being servants of others, when their income becomes certain, and, free from every sort of responsibility, are able to earn enough to live upon.

Again, if the land is made unsaleable, it may be asked why such an exception should be made with regard to land, out of all the other commodities. What is special in land that it should be exempted from the rule, which makes all other commodities exchangeable and saleable ? I quote the following opinion from the celebrated joint report of Major Wingate, from which it will be seen that he anticipated the transfers of land from one hand to another, as consequent upon the introduction of the new Survey Act, and that he considered this result desirable, as it placed land in better hands, equal to the responsibilities of their occupancy.—(Para. 16 of Major Wingate's Report, No. 239, of the 23rd December 1848, page—) :—

"16. I am inclined to think the process for ejectment just described would prove a very effective expedient for realising the revenue, and if it failed in this, it would yet have the obvious advantage of getting land out of the hands of a person unequal to the discharge of the responsibilities connected with its occupancy, and wherever there happened to be a demand for land, secure by the sale of the title to the highest bidder, that it should fall into the possession of a person of means. By thus bringing land into the market, traders, pensioners, and other parties, having capital, would probably be induced to lay it out in the purchase of land, to the great benefit of agri-

culture and the community at large. Some remarkable instances of this have come under my notice in the Dharwar Collectorate, and it is my belief that they will be numerous when it becomes generally understood that land may be sold and purchased like any other commodity."

The following is the opinion to the point of Mr. Tytler :—

"*Saleable value of land.*"

"Before survey, land had no saleable value whatever, and large tracts were waste.

"Now all land, save the poorest, is in great demand, and the mere right of occupancy is sold from five to forty times the year's assessment."

Most of the debtors are those who are owners of very small holdings, such as are not sufficient to support a small family consisting only of husband and wife, as will be seen from the following abstract of Appendix I. It is very desirable that such holdings, instead of remaining separate, should be joined to others. The saleability of land effects and will effect this desirable transfer, and is thus the means of reducing to a considerable extent the number of debtors :—

Abstract showing the indebtedness of 588 *holders of Government land in* 15 *Villages of the Nagar Collectorate.*

Amount of Debts.	Number of Holders in Debt paying Assessment of					
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Above Rs. 20.	Total.
Rs. 50	20	28	21	11	22	102
„ 100	17	27	20	5	34	103
„ 150	3	14	9	5	14	45
„ 200	6	16	14	13	26	75
„ 300	5	12	8	10	37	72
„ 400 and upwards.	16	11	20	20	124	191
Total ...	67	108	92	64	257	588
	Total ... 331					

Q. 10.—Are fair prices obtained to the cultivators when their lands are put up for sale?

A.—No : there are proceedings before the Commission from which it appears that the lands are sold at very great disadvantage. When the land is put to auction at the instance of the sowkar, he generally monopolises the bids to himself. Whenever any other party comes forward to compete, he effectually puts a stop to the competition by announcing that the land has several liabilities against it, of which the liability for which it is then put to auction is only one. Thus every competitor is frightened away by the prospect of expensive and interminable litigation, and the sowkar himself settles the auction as best he wishes.

Q. 11.—What measures would you propose to remedy this evil without interfering with the proceedings of the courts ?

A.—The best course would be that, whenever any land in a vill age is to be mortgaged or sold, the mortgagee or the buyer thereof, as the case may be, should inform accordingly the Mámlatdár of the taluka, in writing, within a given time, and the Mámlatdár would thereupon pass the paper on to the village accountant (Kulkarni or Taláti), who will make a note to the effect in his books.

When this is done every intending buyer in an auction will be able to know the exact liabilities of the land put up for auction by referring to the Taláti of the village, who will be always at hand. Thus all persons will be in a position to bid according to their inclinations. The monopoly of the auction will be taken away from the hands of the sowkar, and the land will fetch better price. Such information kept in the Taláti's books will also be of service to the sowkars themselves, who before lending on any land can ascertain if the land is already burdened or not. This will thus be a check to the wrongful practice of the cultivators to mortgage the same land to more than one sowkar, and fair dealings by both the parties will be ensured. The information I recommend will be also generally useful to Government for statistical purposes.

PART V.

Question 1.—Can you say that the revision of the rates of assessment is a cause of the great indebtedness of the ryots ?

Answer.—Looking to the fact that there is a cry of debt in districts where the revision is not introduced, *e.g.*, the Ahmednagar Collectorate, it can be said that the general state of indebtedness is not attributable to the revision.

Q. 2.—Yet it remains a question, whether it is not an aggravating circumstance in combination with real causes of the indebtedness and misery of the ryots ?

A.—Measures, fair and proper in themselves, often lose their value if unfortunately introduced in opportunely and under unfavourable circumstances.

When the revision was introduced the new Limitation Act was already in force for years, and the revision found the ryots under a heavy load of debt and drifting towards more debt still. Very high prices were reigning generally before the revision, which raised the ryots' income considerably, owing to which, notwithstanding some increases in their expenses, the ryots were able to pay the sowkars to some extent. Just before the revision the prices had generally fallen, and the people already found themselves, even under the old rates of assessment, unable to pay the sowkars as they used to do.

Thus when, owing to these causes, the people were already groaning, the revision came on which generally raised the assessment, and this rise in the rates, irrespective of the question whether it was rightly or wrongly raised in proportion to the worth of the land, became a grievance to the people. People at all times naturally view unfavourably any increase in the dues they have to pay, without concerning themselves as to the equity of the measure, and in the adverse circumstances the unfavourable view amounted to dissatisfaction.

By Section 30 of the Survey Act people understood that whenever the rates may be revised, they will chiefly be with reference to market rates of the produce and the value of land so determined, that the quality and the classification of land was settled once for all, and that if by improvements and industry they bettered some land and raised it in quality and value, they will enjoy the benefit without any new extra burden being thrown upon them in consequence of their adventure and labour. In short, they understood for certain that the classification of land will not be altered at the time

of revision of assessment, but that the increase or decrease in the rates will be fixed with reference to the rise or fall in the prices of the market produce. In the recent revision the classification was also revised.

Under the old settlement of the classification which settled the quality of lands for 30 years, the relative worth of the lands of the different owners was permanently fixed in the people's minds. By the revision this relation recognized, for 30 years was broken up, and more than the absolute rise in their dues people complain of the relative rise as compared with the others who formerly paid assessment equal to their own or different in a certain proportion.* If without disturbing the relative burden the rates against all are proportionately raised, the people do not so much feel the burden, and see no cause of complaint.

Q. 3.—Then, if it be found that by the old settlement some cultivators were under-assessed and others over-assessed by mistakes in classification, is not the error to be rectified?

A.—If these are errors, they should be rectified. If it is found in some individual cases that the lands have been placed in wrong classes, it is desirable that they should be placed in their proper classes, and such alterations people will appreciate as corrections of mistakes. But when the change is wholesale, and affects almost all proprietors, they cannot be brought to think that the old arrangement which worked for 30 years, during which the people found no cause to complain and were prosperous, was all a mistake. They view the revision, as it is, as only a measure adopted to increase the revenues of the State.

Q. 4.—But independent of the people's sentiment, if it be found that in the old settlement the classification of lands was erroneous or that by the advance of time for 30 since, considerable change has occurred in the quality of the lands, and that the revised settlement gives the correct classification, should not the latter be maintained?

A.—The change for the better in the quality of land is principally due to the industry and care of the proprietors, and the expenses which they undergo to make improvements; and it is not intended that such lands are to be thrown under a higher classification. If it be true, that under the old settlement lands were placed below their proper classification, it may be said that

* The Statement (Appendix J) shows the disproportionate rise in the assessment of the different holdings.

that being the case, not with reference to a few instances, but in almost all instances, it was the fault of the system then in force ; and it is a question for consideration whether it is desirable to make a wholesale change in a system which went on smoothly for several years, and that at the cost of creating discontent among the ryots.

Q. 5.—Do you mean to say then that all assessments should never be revised and the increase in revenue from land which Government reasonably expect after a lapse of 30 years from the date of the old settlement should be foregone ?

A.—No : the increase in revenue which the State might rightly claim should be secured, but the question is as to the choice of the means. The revision effected is really attended with increase in revenue, but the people view it unfavourably, principally because it has disturbed the relation which they were accustomed to find subsisting between the different occupants, and the subsequent remissions and reductions which Government have ordered have not restored the old relation. This difficulty can be avoided, and at the same time increase in revenue effected, if, as I have said above, the assessment is proportionately raised on all lands without disturbing their old mutual relation.

Under the old settlement good lands in several instances were given away as "kharab lands." Under the revision they have been properly assessed in their proper classification. In these cases the plea of the ryot that they have improved the lands cannot be allowed, for they were from the first arable, though for reasons then best known they were given as "kharab" lands. The levy of assessment on such lands which will go towards increasing the revenue is a fair due of Government.

Q. 6.—What is the effect of the revision in the districts where it has been introduced ?

A.—Relinquishments of occupancy rights are daily increasing. Also the fall of prices now have brought about relinquishments in unrevised as well as revised districts in cases where lands were taken up in times of high prices.

Q. 7.—Is there any thing more to say with regard to the revision of assessments ?

A.—As a rule when the assessment is fixed, it is fixed with reference to the average of the prices and the value of land for certain years past, and also consideration is given to the

prices reigning at the time. When at the time the revision is undertaken the prices are very high, they have a considerable influence in determining the amounts of assessment. And if subsequently the prices fall very low, it is natural that people should complain of the assessment pressing heavily on them. It can be said that the unfavourable condition when the prices are low is compensated for by the favourable condition when the prices were high. But the ryots are not the people who lay by in good times a provision against bad times.

Then again, taking the reverse case, if the revision is made in times of very low prices, the assessment then fixed might be considered as too light in times of very high prices.

It appears therefore desirable that after the assessment is fixed in the above manner, a certain standard should be fixed, and notified that when the prices go below or above it, the assessments will be reduced or increased proportionately. The standard should be so fixed that the assessment will not be affected unless when the prices go very low or very high. Such cases will not often occur, and will not affect the permanent character of the settlement. But such a provision will highly be useful for relieving cases of real distress, and the rule that those who take advantage of this provision will have also to pay more when prices go above the standard will deter many who only raise a false cry.

PART VI.

Question 1.—Is it not necessary to adopt some measures to relieve the ryots from their heavy debts at present ?

Answer.—Yes, all possible aid should be given to the ryots for their relief from the heavy debts.

Q. 2.—How do you expect the relief of the cultivators, who are totally unable to repay their debts, unless by the application of the Insolvency Act ?

A.—The Insolvency Act is a desirable measure in a highly prosperous and mercantile society where risks from unforeseen causes are great. But in a poor society, for example the cultivators, who have no spare funds of their own, who for everything they have to do have to borrow money from others, with whom the borrowing of money is a most frequent and every-day occurrence, and debt is a rule, the introduction of an Insolvency Act will be injurious in the end to all. Their principal, and in fact the only asset worth notice, is land and cattle. It will be seen from the statement appended, marked A, that this asset in a majority of cases is at best just equal to the expenses of their living, and the debt is largely in excess of the value. Taking the value of lands at 15 times the assessment, the following statement shows the debt in relation to assessment :—

What multiple the debt is of Government Assessment,	Number of Debtors.		Total.	
	Poona Collectorate.	Ahmednagar Collectorate.		
5 ...	24	52	76	164
10 ...	47	41	88	
15 ...	33	33	66	
20 ...	21	18	39	
25 ...	24	16	40	
30 ...	11	8	19	
40 ...	20	14	34	
50 ...	14	12	26	326
60 ...	5	7	12	
70 ...	10	6	16	
80 ...	7	6	13	
90 ...	9	2	11	
100 ...	7	3	10	
above 100 ...	19	21	40	
Total... ...	251	239		490

Now at least 326 cases out of 490 in which the debt is more than, or equal to, 15 times the assessment, if they are passed as insolvent, the whole land will be sold off and the cultivators will be turned out perfectly destitute. In the remaining 164 cases, where debt is less than the value of land, if the cultivators go through the Insolvent Court, most part of their land will go away from their hands, and with the remaining small portion they will less be able than before to live out of debt, and in time the whole land will go into other hands.

If, however, it be ruled that the sale of land just sufficient for the maintenance of the family of the cultivator should not be sold when the cultivator goes through the Insolvent Court, yet this ruling cannot be applied to the existing engagements in which lands have already been mortgaged. And as for the future, it will be seen from what has been stated before, that in most of the holdings land is not more than sufficient for the maintenance of the occupants, and therefore the creditors will barely get a pie in return for what they have advanced. Thus, on the one hand, the cultivator secured of all he possesses will be careless and mischievous in borrowing money; and, on the other hand, the sowkar will never lend unless he wishes positively to lose all he lends. Thus, there will be a total stoppage of all monetary transactions between the cultivator and the sowkar, and the former having no money of his own even to go on with his business, all lands will be turned to waste, or will pass away into other hands.

Again, if this rule be applied in the case of the sowkars, it will have, for the sake of uniformity, to be applied in the case of Government dues also; and when the cultivators do not pay the assessment, Government will no longer be able to recover it by selling the land as at present. Government must, therefore, either forego their dues and lose their revenue, or make an exception in their behalf which will be an unjustifiable proceeding.

For these reasons, and for those given in another place, it is on the whole undesirable to interfere with the saleableness of land.

Q. 3.—Generally the necessity for the sale of land occurs when the cultivators do not pay their regular instalments to the sowkars. If, therefore, it be arranged, with reference to the existing debts, that such instalments are ensured to the sowkars out of the cultivators' produce, instead of permitting them to sell the land, will there be any objection to such a measure?

A.—In such cases in which the existing debts can be cleared by payments of reasonable instalments, there will be no objection

to the arrangement proposed, provided that the sowkar does not get by this arrangement less than what he would obtain by the sale of land.

Q. 4.—Will there be any objection to applying the provisions of the Bombay Talukdari Act of 1862 to the cultivators, as under that Act all the debts not repayable out of the 20 years' product of the talukdar's estates were deemed to be null and void ?

A.—There is an essential difference between the Talukdari estates for which the Act was made, and the estates of the cultivators.

It will be seen from the preamble* of the Act that the estates of the Talukdars were not considered to be private properties, while the holdings of the cultivators have been declared to be private and saleable properties under the Act.

Even as regards the Talukdari estates it has not been thought desirable to keep them permanently unsaleable, as Section 20 of the Act provides that after 20 years from the date of the operation of the Act, the estates are to be treated as private property. It is questionable, therefore, with regard to the cultivators' estates, which are already saleable, that a retrogade step should be taken, and declare them unsaleable.

Q. 5.—What would be the result if Government advance loans to the cultivators to clear them from their present debts ?

A.—Good security should be taken for the money which Government may advance. Yet such advance after all will once be made, and the cultivators will again immediately go into debts for all the little things they want for their household and the fields. And at this rate at regular seasons occasions will recur for Government to give loans. Such a measure, if adopted in one district, will not only be required, on the same principal, to be adopted for the whole presidency or province, but throughout India ; for cultivators so situated are almost all throughout the country.

"Whereas the lands held in the zillah of Ahmedabad, in the province of Guzerat, under the title of Talukdari estates are now only held on leasehold tenure determinable at the pleasure of Government; and whereas it has been brought to the notice of Government that many of the Talukdars are in embarrassed circumstances, and have borrowed money on the security of their landed estates; and whereas such of the said landed estates as are of the Talukdari tenure aforesaid could not and cannot be lawfully charged, encumbered, or *alienated*; and whereas it is expedient to enable the said Talukdars to effect a settlement of their debt and liabilities, &c. &c."

If engaged in such money transactions, Government will often find themselves involved in awkward circumstances. For instance, when the cultivators do not repay the Government loan, how are Government to realize it except by selling the land, cattle, &c., of the owner, which is in the end doing the very thing which the sowkar was prevented from doing; and the action of Government will thus be laid open to more severe criticism than that now bestowed on the sowkars' conduct.

But as the present debts of the cultivators, in a majority of cases, are larger than the value of their land, no sufficient security could be obtained by Government. And the people too are not inclined to borrow money from Government: this fact is established by the non-receipt of any application for loan from the people since the passing of the Land Improvement Act. It may be well if, in exceptional cases, Government advance money to a well-to-do cultivator, if he is badly involved, and in case his sowkar declines to agree to a fair settlement, which he may propose, of his debt. This measure will also have the effect of inducing the sowkars to reduce the rate of interest.

Q. 6.—Then, what measures would you propose to extricate the cultivators from their present debts?

A.—If a sowkar and a cultivator settle their transaction by a private arrangement, the final amount agreed upon should be made recoverable from the cultivator as a revenue demand. This measure, by avoiding the necessity to the sowkar of resorting to the court, will induce him quite readily to come to an amicable settlement with his debtor.

PART VII.

The following is a brief recapitulation of the conclusion to which my enquiries have brought me :—

1. The ryots cannot do without the sowkars : they must have some people to borrow money from, and Government cannot undertake the business of the sowkars. No measures should therefore be taken that may disturb the amicable relation between the sowkars and the ryots.

2. The heavy burden of debt under which the ryots at present groan is not all the consequence of actually large borrowings. It is due in the first place to very high rate (24 per cent) of interest charged, to frequent charges of compound interest, and to the fact that the ryots are unable to prove their actual receipts from, and payments to, the sowkars.

3. To remedy these evils—

(*a*).—The present short period of limitation should be extended to 12 years as before.

(*b*).—Large capitalists should be induced to go into the villages, which will secure greater fairness in dealings, and effect a considerable reduction in the rate of interest.

(*c*).—Pass Books should be introduced which should be kept in the possession of the cultivators, and in which all receipts from, and payments to, the sowkars, whether in cash or kind, should be entered immediately at the time the transactions occur, and an annual register of debts should be kept from these Pass Books by the village accountant, which should be inspected by the Assistant and Deputy Collectors when going on tour.

(*d*).—Similarly to the rule in force at the commencement of the British rule, the burden of proving the amount of the debt entered in a bond should be laid upon the sowkar.

4. Justice should be placed more within the reach of the cultivators, and for this reason—

(*a*).—The Subordinate Judges should be required to go on tour through their talukas, and decide cases as they come before them on the dates fixed for the different villages.

(*b*).—A vakil should be entertained in each taluka as a Government servant, and at the expense of the local funds, to defend the cases of the cultivators.

5. The present period of 3 years allowed for the execution of decrees should be extended to 12 years, as before.

6. No sowkar should be permitted to sell the cultivator's cattle, unless the amount of the debt in question was lent for the purchase of the cattle.

7. The saleableness of land should not be stopped, one of its effects being the reduction in the number of debtors.

8. Arrangements should be made that the cultivators get fair prices for their lands when put up for sale, and for this reason intimation of the transaction should be sent to the Mámlatdár of the taluka, who should transmit it to the village accountant, and the latter should take note of all such transactions in his books.

9. The revision of assessment is not a cause of the great indebtedness of the ryots, but owing to peculiar circumstances it has an aggravating effect, and has been looked upon with disfavour by the ryots.

APPENDICES.

APPENDIX A.

No. I.

STATEMENT of some of the Khatadars showing Number of Persons in their Families, Land, Assessment, Debt, &c., of the Poona Collectorate.

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres.	Assessment.			Fifteen years ago.	At present.		
					Class I.							
	Kusgom.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA INDAPUR. 1	Patlojee... ...	1	3	4	330	187	278	180	1,000	3,170	17	182
2	Mukoond ...	2	8	10	56	34	78	100	...	900	26	34
3	Babajee... ..	4	14	18	125	78	110	195	50	1,000	13	78
4	Gopal	4	11	15	242	187	215	220	200	2,300	12	...
5	Dhundo... ...	1	4	5	156	72	100	85	...	625	9	32
		12	40	52	909	558	781	780	1,250	7,995	14	326
	Dond.											
6	Gopalo	1	3	4	19	8	30	37	...	...	...	...
7	Chimno	2	2	4	...	...	60	95	250	500	...	...
8	Devjee	10	1	11	216	80	450	190	200	500	6	...
9	Narayen ...	3	3	6	40	25	60	120	200	500	...	...
10	Shripat	5	5	10	112	60	150	185	300	1,200	20	...
		21	14	35	387	173	750	627	950	2,700	18	...
	Supa.											
11	Tatya	12	9	21	507	213	500	500	...	3,231	15	...
12	Balga	2	3	5	300	156	...	40	400	650	4	156
13	Madhu	11	13	24	164	130	200	425	...	..	...	...
14	Sudoo	6	8	14	130	102	220	220	...	...	...	...
15	Bapoo	6	1	7	104	98	...	105	...	480	4	98
		37	34	71	1,205	699	920	1,290	400	4,361	6	254
	Bárámati.											
16	Bappu	16	8	24	91	53	150	205	400	700	13	...
17	Gunnoo	4	2	6	94	53	120	60	...	...	...	...
18	Rama	5	...	5	58	38	90	60	149	330	9	...
19	Apa	3	1	4	43	32	60	60	100	60	2	...
20	Luxmon ...	6	..	6	93	50	90	110	...	...	..	...
		34	11	45	379	226	510	495	649	1,090	4	...

APPENDIX A—No. I.—*continued.*

TALUKA PURANDHAR.

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres.	Assessment.			Fifteen years ago.	At present.		
					Class I.—contd.							
	Saswun.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
21	Bulwantrao ...	...	5	5	130	114	1,275	428	3,000	16,000	141	114
22	Gunnoo	...	4	4	17	17	198	189	500	2,300	135	15
23	Anajee	1	3	4	11	17	297	126	425	2,800	165	17
24	Raojee	1	9	10	161	38	192	381	200	610	16	10
25	Pandoo	1	4	5	28	23	48	164	50	575	25	6
		3	25	28	347	209	2,010	1,288	4,175	22,285	106	162
	Khullup.											
26	Hurree	4	1	5	54	43	250	176	100	750	17	8
27	Suntajee ...	6	9	15	53	50	250	478	200	900	18	...
28	Rassoo	8	10	18	58	40	250	516	...	1,350	34	6
29	Mahatasjee ...	13	8	21	61	109	900	654	300	5,450	50	14
30	Jotee	6	3	9	40	52	225	312	300	1,100	21	26
		37	31	68	266	294	1,875	2,136	900	9,550	32	54
	Peepallay.											
31	Rano	4	5	9	48	29	400	312	...	500	21	...
32	Kussajee ...	8	7	15	46	21	300	478	...	600	24	...
33	Rungo	3	2	5	88	29	200	206	...	200	7	...
34	Narayen ...	4	6	10	71	32	250	332	...	1,400	40	32
35	Vithoo	8	8	16	20	15	250	483	...	300	20	...
		27	28	55	273	126	1,400	1,811	...	3,000	23	32
	Hivray.											
36	Trimbak ...	2	4	6	10	24	125	212	500	2,000	83	24
37	Bhikajee ...	8	7	15	33	20	200	796	100	1,310	66	20
38	Krushnabaee ...	...	3	3	19	14	100	125	200	850	61	14
39	Yessoo	8	8	16	20	14	150	698	200	760	54	14
40	Gunnesh ...	1	5	6	5	10	108	218	...	1,600	16	10
		19	27	46	87	82	683	2,049	1,000	6,520	79	82
	Ambadee.											
41	Mulloojee ...	1	5	6	24	23	101	170	400	800	35	23
42	Gungaram ...	2	2	4	19	15	36	119	150	850	56	15
43	Vithoo	2	7	9	30	21	48	261	...	800	38	10
44	Shumbhoo ...	3	5	8	15	10	46	238	200	710	71	10
45	Govinda... ...	3	7	10	30	24	102	293	...	1,175	50	24
		11	26	37	118	93	333	1,081	750	4,335	46	82

APPENDIX A—No. I.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
	Mazeree.				*Class I.*—contd.							
						Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
46	Suntajee ...	2	3	5	81	117	288	538	...	387	3	...
47	Gopaljee ...	3	1	4	59	71	185	385	...	125	2	...
48	Tookaram ...	7	3	10	80	104	310	420	...	...	...	...
49	Suntajee ...	8	3	11	48	65	310	450	...	25	...	...
50	Khundoojee ...	4	2	6	42	54	200	400	...	...	...	...
		24	12	36	310	411	1,293	2,193	...	537	1	...
	Kurradee.											
51	Mallar	5	3	8	139	86	210	370	...	400	5	...
52	Tookaram ...	2	2	4	104	46	105	240	200	450	10	46
53	Kahanoo ...	1	1	2	99	32	80	35	300	300	10	32
54	Kedaree ...	5	2	7	15	9	130	300	...	790	88	9½
55	Nathajee ...	3	2	5	45	50	120	270	...	604	12	50
		16	10	26	402	223	645	1,215	500	2,544	11	137½
	Hodapsar.											
56	Ramjee ..	1	3	4	67	67	83	191	...	710	10	30
57	Mallaree ...	1	...	1	55	74	200	425	...	625	9	11
58	Suddoo ...	4	10	14	68	78	320	552	..	900	11	...
59	Raghojee ...	4	5	9	71	145	200	500	...	325	2	...
60	Muskojee ...	4	4	8	49	61	40	359	490	922	15	61
		14	22	36	310	425	843	2,027	490	3,482	8	102
	Moodway.											
61	Bappoo	3	...	3	82	99	175	251	...	1,400	15	65
62	Pandoo	2	2	4	43	76	200	319	...	1,250	16	76
63	Suntajee ...	3	...	3	46	43	125	252	100	535	12	43
64	Patlo	8	5	13	34	62	200	418	...	1,075	17	...
65	Malaree... ...	6	3	9	36	84	200	212	300	985	12	84
		22	10	32	241	364	900	1,452	400	5,245	14	268
	Sirur.											
66	Soma	5	6	11	135	34	170	274	400	700	20	34
67	Vithoo	4	8	12	166	47	196	220	50	225	4	8½
68	Patel Bawa ..	3	2	5	137	35	105	150	100	400	11	35
69	Bawajee ...	2	3	5	113	28	76	120	50	200	7	28
70	Madhoo ...	6	5	11	115	25	118	240	100	400	16	25
		20	24	44	666	169	665	1,004	700	1,925	11	130½
	Talegaon.											
71	Genoo	22	4	26	214	334	205	1,214	...	2,200	6	31
72	Ramrao	6	16	22	249	370	400	1,040	...	1,925	5	55
73	Marootee ...	14	7	21	186	295	320	800	..	1,825	7	68
74	Bhawoo ...	4	11	15	193	201	245	960	...	1,100	5	201
75	Narayen ...	3	3	6	164	246	304	410	...	925	3	72
		49	41	90	1,006	1,446	1,474	4,424	...	7,975	5	427

TALUKA HAVELI.

TALUKA SIRUR.

APPENDIX A—No. I.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
					Class I.—concluded.							
	Kurday.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA SIRUR—*continued.* 76	Raojee	3	5	8	77	23	177	185	...	450	19	23
77	Laxmon ...	2	2	4	71	22	85	110	...	300	13	22
78	Ramjee	5	1	6	84	22	123	195	300	310	14	11
79	Tikda	4	1	5	71	20	97	125	25	150	7	9
80	Vithalrao ...	3	12	15	70	19	126	265	400	3,000	105	19
		17	21	38	373	106	608	880	725	4,210	39	84
	Kawthai.											
81	Ramjee	8	6	14	300	107	250	500	100	875	8	...
82	Nana	3	5	8	213	121	158	310	60	800	6	...
83	Tata	2	2	4	89	49	130	125	60	500	10	2
84	Rama	3	8	11	134	64	126	235	75	380	5	...
85	Heeroo	4	2	6	109	62	97	195	25	150	2	...
		20	23	43	845	403	761	1,365	320	2,705	6	2
	Jalegaon.											
86	Morajee... ...	10	22	32	167	58	496	940	100	1,415	24	27
87	Gunnoo	4	9	13	100	35	283	460	7	667	19	9
88	Kashinath ...	2	4	6	69	67	132	180	300	1,665	24	...
89	Babajee	4	9	13	124	35	401	140	12	1,850	52	29
90	Tookaram ...	2	3	5	29	13	128	110	....	500	36	13
		22	47	69	489	208	1,440	1,830	419	6,097	30	78
	Grand Total...	405	446	851	8,573	6,190	17,731	27,947	13,628	96,556	...	2,220
					Class II.							
	Kasgaon.											
TALUKA INDAPUR. 1	Gunpatee ...	3	3	6	67	55	104	65	50	400	7	...
2	Bajee Patel ...	2	5	7	84	53	80	110	50	562	10	53
3	Tookaram ...	1	4	5	64	45	67	70	...	410	9	30
4	Dhurma... ...	3	3	6	40	33	112	85	200	700	21	33
5	Narayen ...	1	3	4	47	28	41	60	...	400	14	28
		10	18	28	302	214	404	390	300	2,472	11	144
	Dond.											
TALUKA BHIMTHARI. 6	Amajee	6	4	10	122	34	90	135	100	100	3	...
7	Succaram ...	3	3	6	128	63	120	160	300	300	5	63
8	Madhu	4	6	10	29	17	120	175	80	642	38	...
9	Vithoo	4	5	9	61	29	90	110	100	375	13	...
10	Pandoo	2	4	6	25	19	90	170	75	175	9	...
		19	22	41	365	162	510	750	655	1,592	9	63

APPENDIX A—No. I.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
					Class II.—contd.							
						Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA BHIMTHARI—*continued.*												
	Supa.											
11	Jinya	12	13	25	249	94	400	900	..	900	10	...
12	Kashee	4	7	11	95	49	80	90	...	300	6	...
13	Yessoo	7	5	12	162	41	100	140	...	600	14	...
14	Babajee	10	22	32	79	72	120	455	160	900	12	...
15	Yessoo	6	4	10	100	58	400	150	...	...	...	...
		39	51	90	685	314	1,100	1,735	160	2,700	8	...
	Bárámati.											
16	Supa	6	4	10	32	25	100	87	400	930	33	25
17	Sidojee	8	6	14	38	25	60	160	125	400	10	...
18	Bayajee.. ...	7	10	17	47	21	105	190	696	696	15	21
19	Raojee	4	4	8	31	20	75	65	200	400	13	20
20	Shumbhu ...	3	1	4	35	20	30	45	125	200	6	...
		28	25	53	183	111	370	547	1,546	2,626	23	66
	Sáswad.											
21	Muhsoo	1	3	4	27	12	246	162	100	1,050	88	12
22	Marootee ...	2	5	7	10	18	252	194	50	500	28	18
23	Dhoola	3	1	4	11	11	148	139	100	1,381	125	11
24	Sugajee... ...	4	9	13	5	17	224	325	150	1,375	81	17
25	Muhadjee ...	6	10	16	18	13	125	482	300	4,000	308	13
		16	28	44	71	71	995	1,302	700	8,306	116	71
	Khullup.											
26	Jotee	4	4	8	26	12	150	300	125	400	33	5
27	Yessajee ...	4	1	5	22	25	150	176	200	900	36	13
28	Pandujee ...	4	1	5	11	10	100	176	100	300	30	4
29	Madoo	4	2	6	24	19	150	176	200	1,000	53	4
30	Raghojee ...	2	...	2	20	26	125	88	100	500	21	5
		18	8	26	103	92	675	916	725	3,150	34	31
TALUKA PURANDHAR.	*Peepallay.*											
31	Pandu	6	4	10	41	27	275	332	...	800	30	27
32	Babajee... ...	2	4	6	33	17	225	176	...	700	41	...
33	Kashee	4	12	16	34	20	200	483	...	500	25	...
34	Vithu	2	3	5	45	12	100	154	150	300	25	6
35	Koondu... ...	5	5	10	42	18	200	300	75	300	17	18
		19	28	47	195	94	1,000	1,445	225	2,600	27	51
	Hivray.											
36	Krishna... ...	5	10	15	5	9	49	578	200	725	80	9
37	Hurree	2	2	4	13	9	73	115	...	412	46	9
38	Rama	...	4	4	8	8	73	115	...	373	46	5
39	Muskoo... ...	3	5	8	10	8	49	219	...	395	99	2
40	Limbajee ...	2	4	6	7	8	44	168	...	232	29	6
		12	25	37	43	42	288	1,195	200	2,137	50	31

APPENDIX A—No. I.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
						Class II.—contd.						
	Ambodee.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA PURANDHAR—*contd.* 41	Krushnajee ...	2	5	7	6	5	30	203	100	240	28	5
42	Raghoo	8	19	27	6	5	30	788	200	475	95	1
43	Mahipatee ...	1	7	8	9	7	58	232	150	250	37	...
44	Tatya	1	7	8	9	7	58	232	100	200	28	...
45	Kondee	3	5	8	6	5	29	232	200	357	71	5
		15	43	58	36	29	205	1,687	750	1,522	52	11
	Mazeree.											
46	Ramjee	5	3	8	50	52	220	445	1,500	1,300	25	31
47	Narayen ...	8	6	14	31	55	350	510	300	1,150	21	35
48	Vithoo	6	1	7	32	53	130	400	350	459	9	37
49	Gunnojee ...	8	1	9	45	58	400	620	...	432	8	...
50	Peerajee ...	5	3	8	59	58	150	500	100	490	8	58
		32	14	46	217	276	1,250	2,475	2,250	3,831	13	161
	Khurradee.											
51	Gunnoo	7	3	10	65	25	130	320	...	...	...	...
52	Salloo	7	2	9	65	40	70	180	...	170	4	...
53	Tukoo	2	...	2	82	38	65	80	...	...	...	...
54	Kadoo	5	1	6	73	26	130	180	...	...	...	...
55	Puddoo	6	2	8	42	25	65	180	...	575	23	25
		27	8	35	327	154	460	940	...	745	4	25
TALUKA HAVELI	*Hodapsar.*											
56	Balajee	3	4	7	19	42	150	258	...	300	7	...
57	Raojee	2	7	9	39	68	148	277	...	211	3	...
58	Mahloo	1	10	11	9	17	41	258	...	257	15	...
59	Krushnajee ...	2	3	5	36	53	146	177	250	425	8	37
60	Raghojee ...	1	5	6	41	36	38	250	...	965	27	36
		9	29	38	144	216	523	1,220	250	2,158	9	73
	Moodway.											
61	Sobhajee ...	5	...	5	10	21	60	244	...	1,025	48	21
62	Mabajee... ...	7	1	8	17	40	100	240	...	940	23	40
63	Aba	6	...	6	17	28	100	197	...	245	9	10
64	Sawla	4	...	4	22	37	75	128	...	381	10	37
65	Tukaram ...	4	...	4	24	20	50	110	...	170	8	...
		26	1	27	90	146	385	919	...	2,761	19	108
	Sirur.											
SIRUR. 66	Ranoo	4	4	8	74	10	90	195	500	1,500	150	10
67	Krishna... ...	2	4	6	51	12	42	100	...	275	23	12
68	Kodajee... ...	3	3	6	65	11	85	120	...	400	36	11
69	Khundoo ...	2	1	3	26	11	36	75	...	95	9	6
70	Bhagoo	3	7	10	26	11	120	150	...	400	36	11
		14	19	33	242	55	373	640	500	2,670	48	50

APPENDIX A—No. I.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
					Class II.—concluded.							
	Talegaon.					Rs.	Rs.	Rs.	Rs	Rs.		Rs.
71	Moroo	6	3	9	52	40	129	135	...	270	6	...
72	Malloo	5	8	13	167	247	342	620	100	2,025	8	...
73	Jeywant... ...	3	2	5	66	69	284	240	...	1,160	16	...
74	Salloo	9	4	13	123	96	271	680	...	1,125	11	38
75	Bhawoo... ...	6	6	12	106	173	380	620	...	1,725	9	75
		29	23	52	514	625	1,406	2,295	100	6,305	10	113
	Kurday.											
76	Ramjee	2	3	5	57	22	85	115	40	135	6	...
77	Kashee	6	3	9	92	22	159	250	500	300	13	...
78	Bala	5	...	5	57	25	165	120	100	300	12	16
79	Babajee	5	2	7	72	29	153	210	...	100	3	...
80	Gunnoo	4	2	6	49	13	92	120	200	200	15	...
		22	10	32	327	111	654	815	840	1,035	9	16
	Kawthey.											
81	Govinda... ...	3	4	7	29	10	138	135	100	100	10	5
82	Dhondee ...	4	4	8	14	10	126	110	10	150	15	...
83	Nama	5	9	14	68	23	219	375	50	500	21	20
84	Bulwanta ...	4	6	10	57	26	170	185	25	400	15	16
85	Koosha	2	8	10	88	29	236	140	40	250	8	6
		18	31	49	256	98	889	945	225	1,400	14	47
	Jalegaon.											
86	Suddoo	1	4	5	23	12	128	135	...	715	59	6
87	Gunnoo	2	7	9	49	17	119	205	...	189	11	17
88	Madhoo	2	4	6	14	4	124	175	...	375	93	4
89	Tulshiram ...	3	6	9	11	5	119	155	175	125	25	...
90	Yessoo	4	6	10	43	13	161	215	...	300	23	13
		12	27	39	140	51	651	885	175	1,704	33	40
	Grand Total...	365	410	775	4,240	2,865	12,138	21,091	9,601	49,714	...	1,101
	Kasgaon.				*Class III.*							
1	Raojee	1	3	4	30	19	20	45	50	1,322	69	19
2	Vithoojee ...	2	5	7	17	10	35	90	50	300	30	10
3	Suntojee ...	1	3	4	41	21	27	49	25	400	19	21
4	Bhaoo	1	3	4	50	25	28	37	...	300	12	25
5	Pandoo	1	2	3	¼	½	0⅜	39	...	100	200	½
		6	16	22	138¼	75½	110⅛	260	125	2,422	...	75½

TALUKA SIRUR—*continued.*

TALUKA INDAPUR.

APPENDIX A—No. 1.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
					Class III.—contd.							
	Dond.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA BHIMTHARI.	6 Tukaram ...	4	4	8	21	6	60	110	160	450	75	...
	7 Babajee ...	5	4	9	17	5	45	100	30	80	16	...
	8 Gunoo ...	3	3	6	296	132	180	160	100	200	1	...
	9 Patloo ...	5	2	7	48	19	120	85	26	175	9	...
	10 Sawla ...	4	10	14	43	37	180	150	100	300	8	...
		21	23	44	425	199	585	605	416	1,205	...	...
	Supa.											
	11 Trimbuk ...	1	5	6	18	4	2	55	...	100	25	...
	12 Morojee ...	8	11	19	30	7	20	250	...	2,182	311	...
	13 Nanya ...	2	4	6	28	4	8	40	60	40	10	...
		11	20	31	76	15	30	345	60	2,322	154	...
	Bárámati.											
	14 Andojee ...	6	12	18	31	18	125	190	500	696	38	18
	15 Suddoo ...	4	4	8	32	17	75	65	62	160	9	...
	16 Andoo ...	2	1	3	22	12	60	60	400	625	52	12
	17 Nathajee ...	4	4	8	30	10	60	70	200	375	37	...
	18 Gopala ...	2	2	4	40	11	50	40	40	100	9	...
		18	23	41	155	68	370	425	1,202	1,956	28	30
	Síswad.											
TALUKA PURANDHAR.	19 Nuthoo ...	1	1	2	14	7	48	85	50	150	21	7
	20 Narayen ...	1	1	2	11	10	63	85	...	910	19	10
	21 Babajee ...	3	8	11	6	5	96	376	300	725	145	5
	22 Vishnoo ...	1	6	7	1	2	75	197	700	2,275	1,137	2
	23 Ramjee ...	3	4	7	4	2	48	217	125	475	237	2
		9	20	29	36	26	330	960	1,175	4,535	174	26
	Khollup.											
	24 Patlo ...	10	2	12	5	5	100	400	100	200	40	3
	25 Vithojee ...	3	2	5	5	7	100	176	50	300	42	3
	26 Mooktalee ...	3	1	4	1/8	5/8	75	176	25	300	400	House.
	27 Madoo ...	4	1	5	2	3	100	176	100	300	100	...
	28 Succaram ...	3	1	4	1/2	2	50	206	25	200	100	...
		23	7	30	12 5/8	17 3/4	425	1,134	300	1,300	76	6
	Peepulloy.											
	29 Koosha ...	4	5	9	23	5	100	210	200	1,000	200	5
	30 Ledaree ...	1	2	3	25	16	75	81	100	500	31	16
	31 Pandoo ...	7	8	15	20	4	150	362	...	700	175	4
	32 Dewjee ...	2	3	5	37	11	100	114	...	300	27	...
	33 Gunnoo ...	1	3	4	13	7	75	102	50	300	42	7
		15	21	36	118	43	500	869	350	2,800	65	32

APPENDIX A—No. I.—*continued.*

14,514

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men	Not working men.	Total.	Extent in acres.	Assessment.			Fifteen years ago.	At present.		
					Class III.—contd.							
	Hivray.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA PURANDHAR—*continued.*	34 Pirajee ...	2	5	7	7	7	46	180	100	525	75	7
	35 Bapoojee ...	4	15	19	10	6	34	436	50	525	87	6
	36 Raojee ...	2	2	4	8	6	44	96	200	900	150	6
	37 Mussoo ...	3	3	6	9	5	39	168	...	307	61	4
	38 Kedarjee ...	4	5	9	2	3	45	147	50	410	136	3
		15	30	45	36	27	208	1,027	400	2,667	98	26
	Ambodee.											
	39 Sutwajee ...	3	2	5	4	3	29	169	150	225	75	...
	40 Krishna ...	5	6	11	4	3	29	356	100	250	83	3
	41 Peerajee ...	2	4	6	4	3	29	208	...	300	100	...
	42 Mallaree ...	2	2	4	6	5	29	144	...	332	66	5
	43 Somajee ...	2	5	7	6	5	30	236	...	230	46	5
		14	19	33	24	19	146	1,113	250	1,337	70	13
	Mazeree.											
	44 Dugdu	3	..	3	2	6	55	175	...	70	11	6
	45 Gundjee ...	2	3	5	8	5	60	175	...	...	...	...
	46 Gundjee ..	4	1	5	6	9	75	260	...	75	8	1
	47 Janojee	6	1	7	5	2	50	250	300	482	241	2
	48 Balajee	6	...	6	5	7	25	115	...	70	10	7
		21	5	26	26	29	265	975	300	697	24	16
	Khurradee.											
	49 Nuthoo... ...	4	3	7	8	3	..	70	...	75	25	3
	50 Firghoo... ...	2	2	4	3	2	...	50	...	100	50	2
	51 Bala	1	2	3	3	1	...	55	...	25	25	1
	52 Dhondee ...	2	...	2	34	17	75	80	...	30	2	...
	53 Marootee ...	2	1	3	19	7	40	70	...	...	...	...
		11	8	19	62	30	115	325	...	230	7	6
TALUKA HAVELI.	*Hodapsar.*											
	54 Gopala	3	4	7	6	10	40	140	...	225	22	...
	55 Kondajee ...	1	5	6	13	21	...	127	...	310	15	21
	56 Govinda ...	2	10	12	10	24	350	596	...	2,093	87	24
	57 Gunnoo... ...	2	2	4	10	22	37	168	...	274	12	7
	58 Suntajee ...	3	...	3	7	13	21	62	...	...	...	...
		11	21	32	46	90	448	1,093	.	2,902	32	52
	Moodway.											
	59 Gunnoojee. ...	2	3	5	5	7	35	99	...	216	30	7
	60 Madhjee ...	4	...	4	4	10	30	170	..	700	70	6
	61 Trimbak ...	11	9	20	10	13	50	327	. .	830	64	13
	62 Tatya	11	4	15	3	10	50	345	...	660	66	...
	63 Babajee... ...	7	...	7	3	8	50	207	...	590	73	5
		35	16	51	25	48	215	1,148	...	2,996	62	31

APPENDIX A—No. I.—*concluded.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of the land under mortgage on account of the debt.
		Working men.	Not working men.	Total.	Extent in acres	Assessment.			Fifteen years ago.	At present.		
					Class III.—concluded.							
	Sirur.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA SIRUR. 64	Govinda ...	3	4	7	14	5	66	130	...	250	50	5
65	Mookta... ...	4	4	8	33	7	59	120	...	200	28	7
66	Dajee	2	...	2	7	1	32	30	...	...	...	9
67	Gunnoo... ..	3	9	12	5	3	32	130	...	110	36	...
68	Dugdoo... ...	3	6	9	11	2	48	80	...	75	37	2
		15	23	38	70	18	237	490	...	635	35	14
	Talegaon.											
69	Amritrao ...	7	2	9	98	141	187	530	...	475	3	...
70	Gunpatrao ...	4	4	8	75	109	290	280	...	1,530	14	109
71	Krishna ...	11	2	13	50	71	377	440	...	975	13	...
72	Ranoo	2	4	6	4	13	119	150	...	353	27	...
73	Vithoo	4	4	8	4	4	20	90	...	350	87	4
		28	16	44	231	338	993	1,490	...	3,683	10	113
	Kurday.											
74	Madhoo ...	8	2	10	40	6	202	234	150	650	108	16
75	Bappoo	3	4	7	21	6	92	120	...	60	10	...
76	Wamdhoo ...	2	4	6	21	6	65	110	100	300	50	6
77	Koosha... ...	3	...	3	52	19	98	100	50	100	5	...
78	Govinda ...	2	1	3	25	8	41	45	15	175	21	8
		18	11	29	159	45	498	609	315	1,285	28	30
	Kowthay.											
79	Babajee... ...	2	4	6	14	7	108	90	100	542	77	29
80	Bhavoo	2	5	7	14	11	65	100	50	40	3	11
81	Koondajee ...	2	4	6	24	17	130	109	...	134	7	...
82	Kuthojee ...	6	4	10	11	18	60	190	400	800	44	18
83	Dajee	2	4	6	78	23	147	66	...	...	...	...
		14	21	35	141	76	510	555	550	1,516	19	58
	Jalegaon.											
84	Gonda	2	6	8	19	9	175	200	...	15	2	...
85	Ruklimajee ...	1	4	5	28	14	70	110	...	225	16	14
86	Gunnoo... ...	2	7	9	14	4	128	200	...	357	89	27
87	Adnai	4	4	8	21	6	66	120	100	300	50	6
88	Bhuwansing ...	2	3	5	11	2	67	60	3	32	16	...
		11	24	35	93	35	506	690	103	929	26	47
	Grand Total...	296	324	620	1,873¾	1,199¼	6,491⅜	14,026	5,546	35,417	...	575½
	Total of the three Classes ...	1,066	1,180	2,246	14,686	10,254	36,360	63,064	28,775	1,81,687	...	3,896

APPENDIX A.

No. II.

STATEMENT of some of the Khatadars showing the number of Persons in their Families, Land, Assessment, Debts, &c., in the Nagar Collectorate.

	No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
			Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
							Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
		Jalegaon.					*Class I.*						
TALUKA NAGAR.	1	Ramcrustna ...	2	5	7	83	59	150	800	...	...	...	...
	2	Vithojee ...	3	9	12	77	70	300	350	...	500	7	...
	3	Gunoo	2	6	8	67	53	200	200	...	1,000	20	...
	4	Bhikajee ...	1	7	8	90	65	250	405	...	1,000	16	...
	5	Ramjee ...	6	6	12	68	56	250	250	...	350	5	...
			14	33	47	385	303	1,150	2,005	...	2,850	...	...
		Hingungaon.											
	6	Gujjee	1	4	5	14	13	75	150	...	...	...	...
	7	Rungoo ...	3	9	12	16	21	100	300	...	...	...	...
	8	Shunker ...	1	3	4	19	14	50	105	...	...	...	...
	9	Vithoojee ...	3	3	6	104	109	200	175	...	...	..	...
	10	Bhaoo	2	5	7	62	56	150	150	...	...	...	...
			10	24	34	215	213	575	880	...	...	...	...
		Burood.											
	11	Hurree	1	6	7	250	209	250	800	...	...	...	...
	12	Datatree ...	2	8	10	31	31	500	1,550	...	...	...	...
	13	Anajee ..	2	6	8	13	17	55	400	...	...	...	...
	14	Babajee ...	1	7	8	73	55	75	500	...	...	...	...
	15	Ema	1	4	5	46	47	100	100	...	...	...	...
			7	31	38	413	359	980	3,350	..	...	...	...
		Majvde.											
	16	Vithoo	2	8	10	6	5	750	745	...	...	...	...
	17	Gunoo	4	8	12	11	10	200	350	...	...	...	...
	18	Kessu	3	6	9	5	18	300	525	...	...	...	..
	19	Luxmon ...	6	24	30	7	12	600	960	...	...	...	...
	20	Nimbajee ...	1	10	11	12	23	150	300	...	150	6	...
			16	56	72	41	68	2,000	2,880	...	150	...	...

APPENDIX A—No. II. —*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
					Class I.—contd.							
	Shewa.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA NAGAR—*contd.* 21	Pandu	12	13	25	19	35	400	600	...	...	...	...
22	Aba	9	16	25	23	35	200	700	...	...	...	...
23	Maddu	2	8	10	71	111	100	1,000	...	...	.	...
24	Dusrath... ...	6	4	10	26	21	300	450	...	...	...	...
25	Nimbu	2	7	9	34	27	150	150	...	...	...	...
		31	48	79	173	229	1,150	2,900	...	...	...	...
	Karjat.											
KARJAT TALUKA. 26	Bowajee ...	1	3	4	97	34	342	242	200	...	...	..
27	Shumbhu ...	4	8	12	175	48	243	444	...	100	2	...
28	Keshoo	1	5	6	81	25	220	363	...	300	12	...
29	Tookaram ..	1	7	8	102	29	402	245	...	50	2	...
30	Sadhu	1	5	6	67	20	64	90	...	12	$\frac{3}{4}$	...
		8	28	36	522	156	1,271	1,384	200	462	9	...
	Assooda.											
31	Tukaram ...	4	9	13	88	24	214	258	400	125	...	...
32	Suntajee ...	2	5	7	142	18	94	232	50	...	3	...
33	Raghoo	5	7	12	179	42	412	422	...	...	...	...
34	Succaram ...	1	2	3	71	21	75	210	100	125	6	...
35	Amboo	5	10	15	111	20	175	242	...	130	6	..
		17	33	50	591	125	970	1,364	550	380	13	...
	Kolewadee.											
36	Gujaram ...	6	4	10	108	26	184	235	...	...	...	...
37	Baboorao ...	5	6	11	143	12	67	538	...	...	...	...
38	Kerroo	4	6	10	142	34	134	295	...	...	...	...
39	Balloo	2	3	5	67	15	60	84	...	...	...	...
40	Raojee	4	6	10	53	12	117	145	...	...	...	...
		21	25	46	413	99	562	1,297	...	...	...	...
	Patwadee.											
41	Nathoo	4	2	6	361	85	357	260	...	...	...	...
42	Ranoo	3	4	7	80	22	160	183	...	...	...	...
43	Maddu	4	2	6	164	36	129	184	...	...	...	...
44	Bhiva	3	...	3	119	19	108	112	...	...	...	...
45	Bawajee ...	5	2	7	25	5	133	215	...	..	..	...
		19	10	29	749	167	887	954	...	...	...	...

APPENDIX A—No. II.—*continued.*

	No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
			Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
						Class I.—contd.							
		Turgaon.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
KARJAT TALUKA—*contd.*	46	Raojee ...	6	12	18	140	29	427	407	...	...	...	...
	47	Shambhaee ...	5	6	11	114	20	214	242	...	75	4	...
	48	Bhugwantrao ...	7	6	13	101	22	169	191	...	75	3	...
	49	Pirajee ...	2	2	4	125	30	141	157	...	...	...	...
	50	Ranoo ...	3	6	9	84	20	183	172	...	...	...	...
			23	32	55	564	121	1,134	1,169	...	150	9	..
		Párner.											
	51	Janoo ...	7	13	20	92	46	150	240	...	500	10	46
	52	Bappoo ...	8	2	10	72	32	120	145	...	450	14	...
	53	Bappoo ...	5	7	12	78	28	90	95	...	80	3	...
	54	Succaram ...	2	3	5	65	25	120	75	...	150	6	25
			22	25	47	307	131	480	555	...	1,180	9	71
		Sarolla.											
	55	Yessajee ...	6	8	14	40	13	250	311	...	...	...	...
	56	Shivjee ...	5	15	20	101	46	215	348	...	...	...	..
	57	Suntoo ...	3	5	8	101	56	150	241	...	...	...	...
	58	Gunpat ...	2	7	9	68	43	150	191	...	20	⅓	...
	59	Luxmon ...	3	6	9	43	13	150	191	...	...	...	...
			19	41	60	353	171	915	1,282	...	20	...	...
		Kanoor.											
	60	Gungajee ...	19	2	21	169	106	280	740	...	...	...	...
	61	Shajee ...	5	4	9	98	53	200	120	...	...	...	...
	62	Bhuwanjee ...	5	5	10	160	118	160	180	...	80	⅔	11
	63	Dhawjee ...	11	9	20	169	123	240	245	...	...	...	...
	64	Sidhu	9	6	15	105	73	240	205	..	...	...	..
			49	26	75	701	473	1,120	1,490	...	80	...	11
		Bhadgaon.											
	65	Gessu... ...	5	4	9	110	107	280	410	....	60	⅓	...
	66	Aba	9	8	17	59	51	200	270	400	800	15	...
	67	Eknath ...	5	1	6	59	35	120	165	500	800	22	...
	68	Suddoo ...	2	3	5	19	35	60	39	...	...	...	...
	69	Salloo ...	4	2	6	93	58	100	140	...	50	1	..
TALUKA PARNER.			25	18	43	340	286	760	1,024	900	1,710	6	...

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	Present.		
					Class I.—contd.							
	Pitsol.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA PARNER—*contd.* 70	Bajajee ...	16	9	25	116	50	320	450	...	...	...	...
71	Bappu ...	3	3	6	106	41	200	100	...	295	7	...
72	Pandu ...	6	4	10	93	38	240	270	...	...	...	...
73	Pandu ...	4	8	12	77	29	160	120	...	...	...	...
74	Kashee ...	6	4	10	38	16	160	170	..	...	...	...
		35	28	63	430	174	1,080	1,110	...	295	2	...
	Shrigonda.											
75	Shekhoo ...	9	3	12	114	91	456	450	200	4,000	43	9
76	Vithoo ...	18	6	24	287	236	931	800	...	2,000	8	...
77	Darkoo ...	3	2	5	121	80	176	150	200	1,825	22	72
78	Koondee ...	11	4	15	75	58	928	500	100	942	16	58
79	Bhiwa ...	5	5	11	108	74	50	200	...	170	2	...
		46	21	67	705	539	2,541	2,100	500	8,937	16	139
	Belwadi.											
80	Huree ...	9	3	12	117	60	390	500	...	75	1	...
81	Goodu ...	3	1	4	193	146	1,040	300	...	300	2	...
82	Dhoortee ...	8	5	13	189	126	165	300	...	900	7	...
83	Chimma ...	5	4	9	11	31	680	300	...	2,000	64	32
84	Krishna ...	10	2	12	65	44	333	300	100	600	13	...
		35	15	50	579	407	2,608	1,700	100	3,875	9	32
TALUKA SHRIGONDA.	*Bhalgaon.*											
85	Krushnajee ...	26	14	40	388	132	743	1,000	700	1,150	8	...
86	Venkoo ...	4	3	7	117	55	248	200	150	675	12	...
87	Appajee ...	3	3	6	236	78	298	200	200	1,435	18	...
88	Rama ...	5	6	11	152	71	388	300	500	1,150	16	...
89	Succaram ...	16	6	22	214	83	517	500	500	2,449	29	30
		54	32	86	1,107	419	2,194	2,200	2,050	6,859	15	30
	Adalgaon.											
90	Hunwantrai ...	11	8	19	156	51	530	450	200	725	14	...
91	Sutwa ...	8	4	12	164	45	340	275	150	400	8	...
92	Ladhoo ...	8	9	17	117	34	285	200	200	640	18	...
93	Ladhoo ...	13	4	17	320	71	557	450	50	325	4	...
94	Rama ..	5	3	8	..	28	260	200	150	575	20	...
		45	28	73	757	229	1,972	1,575	750	2,665	13	...

APPENDIX A—No. II.—*continued.*

	No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
			Useful.	Useless.	Total.	Extent in acres.	Assessment.			Before fifteen years.	At present.		
						Class I.—concluded.							
		Takli.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA SHRIGONDA—*contd.*	95	Purushram ...	4	...	4	57	23	130	200	...	50	2	...
	96	Kashee ...	6	5	11	51	17	169	200	...	205	12	12
	97	Bhagoojee ...	2	5	7	38	15	133	200	100	775	51	...
	98	Shabjee ...	4	2	6	13	6	49	150	25	135	22	9
	99	Dusrutha ...	2	1	3	31	14	59	50	...	100	7	...
			18	13	31	190	75	540	800	125	1,265	15	21
		Grand Total...	514	567	1,081	9,535	4,744	24,889	32,019	5,175	30878	...	312
		Jalgaon.				*Class II.*							
TALUKA NAGAR.	1	Gunput ...	1	4	5	54	46	125	200	...	...	...	...
	2	Huree ...	1	4	5	53	43	200	175	...	150	4	...
	3	Vithojee ...	3	1	4	34	38	200	175	...	...	...	...
	4	Bhaoo ...	6	2	8	42	41	...	175	...	1,200	30	41
	5	Parwatee ...	3	1	4	46	48	100	175	...	200	4	...
			14	12	26	229	216	625	900	...	1,550	7	41
		Hingungaon.											
	6	Rama ...	4	8	12	7	5	200	200	...	100	20	...
	7	Bapoo ...	2	5	7	31	32	150	150	...	100	3	...
	8	Vithoo ...	1	3	4	23	24	80	80	...	150	4	...
	9	Dhondee ...	2	7	9	63	66	200	200	...	200	3	...
	10	Succaram ...	3	6	9	25	22	150	150	...	150	7	...
			12	29	41	149	149	780	780	...	700	4	...
		Burood.											
	11	Bappoo ...	1	7	8	46	58	200	205	...	150	3	...
	12	Maheepatee ...	2	6	8	15	9	150	150	...	150	16	...
	13	Dewjee ...	1	6	7	33	16	75	100	...	200	12	...
	14	Vithoo ...	3	7	10	25	23	200	200	...	100	5	...
	15	Kashee ...	3	9	12	29	15	150	200	...	300	20	15
			10	35	45	148	121	775	855	...	900	7	15
		Majirday.											
	16	Rama ...	1	4	5	17	23	100	150	50	500	21	23
	17	Toomba ...	2	7	9	14	21	100	250	...	300	14	...
	18	Ramjee ...	1	1	2	9	17	100	100	...	400	23	17
	19	Pandoo ...	2	5	7	1	5	150	175	...	700	140	5
	20	Hanmanta ...	1	5	6	11	20	125	225	200	700	35	20
			7	22	29	52	86	575	900	250	2,600	30	65

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres.	Assessment.			Before fifteen years.	At present.		
					Class II.—contd.							
	Shewa.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA NAGAR—*contd.* 21	Luxmon ...	3	3	6	28	12	100	120	...	500	41	...
22	Vithal ...	3	6	9	25	39	225	250	...	400	10	...
23	Rama ...	1	1	2	2	7	50	45	...	500	71	7
24	Rajaram ...	2	3	5	39	37	75	80	...	300	8	5
25	Amrila ...	2	4	6	5	11	120	120	...	500	45	11
		11	17	28	99	106	570	615	...	2,200	21	23
	Karjat.											
26	Behroo ...	5	10	15	177	47	149	256	...	511	11	23
27	Chima ...	1	1	2	32	11	63	61	100	50	5	...
28	Madhu ...	1	1	2	23	3	60	112	100	1,000	333	3
29	Manajee ...	3	7	10	46	15	262	85	...	250	16	...
30	Antoo ...	3	6	9	68	12	93	105	...	5	½	...
		13	25	38	346	88	627	619	200	1,816	20	26
	Assooda.											
31	Purvatah ...	5	12	17	104	30	164	293	200	210	7	...
32	Dada ..	2	4	6	35	8	66	112	...	120	15	8
33	Yessoo ...	3	9	12	144	31	146	256	50	100	3	4
34	Gopala ...	3	7	10	27	9	76	162	50	200	22	...
35	Vittoo ...	2	4	6	53	11	32	117	100	248	22	...
		15	36	51	363	89	514	940	400	878	9	12
	Kolewadi.											
36	Keshow ...	1	7	8	15	2	78	164	...	200	100	...
37	Tulsheeram ..	10	15	25	145	29	300	375	...	475	15	...
38	Chimnajee ...	3	4	7	43	6	26	85	...	85	14	6
39	Gennoo ..	3	5	8	4	4	30	79	...	125	31	4
40	Amajee ...	1	4	5	1	¼	19	58	...	250	1,000	¼
		18	35	53	208	41¼	453	761	...	1,135	27	10¼
	Patwádi.											
41	Bappoo ...	7	3	10	58	11	97	116	...	125	11	
42	Kurroo ...	5	4	9	116	22	152	118	...	125	6	...
43	Salloo ...	5	4	9	24	6	94	173	...	400	66	...
44	Govinda ..	8	3	11	142	37	162	141	...	300	8	...
45	Bola ...	6	2	8	135	29	175	147	...	225	7	...
		31	16	47	475	105	680	695	...	1,175	11	5

TALUKA KARJAT.

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
					Class II.—continued.							
	Turgaon.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA KARJAT—*contd.* 46	Peerajee ...	4	2	6	65	14	221	132	...	500	35	14
47	Dharoo ...	4	2	6	91	18	281	134	...	125	7	...
48	Gannoo ...	3	5	8	27	12	115	89	...	250	20	10
49	Trimbak ...	1	3	4	27	7	109	79	...	100	14	...
50	Dada ...	4	2	6	28	7	97	127	...	175	25	...
		16	14	30	238	58	823	561	...	1,150	19	24
	Párner.											
51	Lulloo ...	5	1	6	42	24	30	75	...	199	8	24
52	Doluta ...	3	6	9	51	16	120	160	150	340	21	...
53	Yadow ...	7	6	13	61	20	90	165	...	200	10	...
54	Mahadhu ...	2	2	4	60	17	.....	40	...	200	12	17
55	Dangoo ...	6	3	9	26	7	60	65	300	550	78	...
		23	18	41	240	84	300	505	450	1,489	17	41
	Sarolla.											
56	Rumbhajee ...	3	8	11	27	13	115	125	...	100	8	...
57	Shitaram ...	2	6	8	25	22	115	115	...	100	5	...
58	Vithoo ...	1	3	4	53	26	115	77	...	50	2	...
59	Hanmanta ...	4	10	14	47	41	225	261	...	250	6	...
60	Mahadu ...	2	2	4	45	21	115	81	50	300	14	...
		12	29	41	197	123	685	659	50	800	6	...
	Kannoor.											
61	Narayen ...	2	4	6	23	19	80	100	100	75	4	...
62	Gopalla ...	4	2	6	118	79	80	160	200	685	9	13
63	Bunajee ...	5	1	6	3	1	60	120	...	100	100	...
64	Baheeroo ...	4	2	6	38	25	100	110	...	166	6	...
65	Tukaram ...	6	4	10	29	18	120	150	...	140	8	...
		21	13	34	211	142	440	640	300	1,166	8	13
	Bhadgaon.											
66	Kerroo ...	2	2	4	29	17	50	155	...	100	6	...
67	Succaram ...	4	2	6	24	23	50	45	...	125	5	...
68	Gunga ...	4	...	4	70	34	80	50	85	...	...	...
69	Gungaram ...	4	1	5	32	26	40	49	...	150	6	...
70	Kooshaba ...	2	1	3	27	17	50	50	...	100	6	...
		16	6	22	182	117	270	349	85	475	4	...

TALUKA PA'RNER.

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
					Class II.—contd.							
	Pitsal.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA PARNER—*contd.* 71	Kahanoo ...	3	4	7	39	24	80	95	...	25	1	...
72	Bappu ...	5	...	5	58	19	60	90	...	25	1	...
73	Vithoo ...	6	4	10	41	18	100	130	...	50	3	...
74	Anajee ...	4	2	6	43	20	120	110	50	...	2	...
75	Succoo ...	7	6	13	50	13	160	200	...	170	13	...
		25	16	41	231	94	520	625	50	270	3	...
	Shrigoonda.											
76	Sidhoo ...	2	2	4	86	62	170	150	50	885	14	...
77	Luxmon ...	5	3	8	35	37	376	200	...	1,300	35	...
78	Ranoo ...	6	5	11	36	35	178	200	50	1,125	32	14
79	Succaram ...	5	2	7	80	59	112	250	...	720	12	12
80	Vithoo ...	5	5	10	74	36	222	250	...	1,700	42	31
		23	17	40	311	229	1,058	1,050	100	5,730	25	57
	Belwadee.											
81	Nimba ...	3	2	5	201	85	115	200	...	300	3	19
82	Dhundee ...	2	2	4	119	52	55	50	...	225	4	...
83	Narayen ...	6	6	12	65	53	135	300	...	...	...	...
84	Dhondee ...	4	1	5	44	27	30	100	...	...	...	...
85	Marootee ...	2	1	3	79	48	150	150	...	...	...	...
		17	12	29	508	265	485	800	..	525	2	19
TALUKA SHRIGONDA.	*Bhalgaon.*											
86	Vithoo ...	4	4	8	97	44	142	100	...	254	5	...
87	Rama ...	5	2	7	116	46	191	150	...	325	7	29
88	Govinda ...	4	3	7	110	45	198	150	50	167	3	...
89	Valoo ...	6	4	10	126	41	184	150	50	106	2	...
90	Yessoo ...	2	3	5	137	45	120	75	25	181	4	...
		21	16	37	586	221	835	625	125	1,033	4	29
	Adalgaon.											
91	Gopala ...	8	8	16	102	25	442	400	200	600	24	...
92	Gossaee ...	4	4	8	68	22	110	80	50	250	11	...
93	Paroo ...	5	3	8	50	25	201	125	100	1,050	42	7
94	Koosa ...	4	3	7	109	26	116	75	150	400	15	...
95	Bhawanee ...	2	3	5	31	14	81	60	50	375	26	...
		23	21	44	360	112	950	740	550	2,675	24	7

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
	Taklee.				*Class II.*—concluded.	Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA SHRIGONDA—*contd.* 96	Gopalla ...	4	5	9	25	6	43	150	...	278	46	...
97	Gungoo ...	3	4	7	93	12	95	200	...	650	54	27
98	Ramjee ...	8	6	14	51	14	57	200	...	515	36	...
99	Nana ...	...	...	...	9	11	80	...	100	300	27	3
100	Sumbhajee ...	4	1	5	71	40	68	125	...	1,080	27	6
		19	16	35	249	83	343	675	100	2,823	35	36
	Grand Total...	347	405	752	5,382	2,529¼	12,308	14,294	2,635	31,090	...	433¼
	Jalegaon.				*Class III.*							
1	Demjee ...	7	3	10	39	36	250	350	...	800	22	...
2	Haree ...	2	1	3	13	11	75	100	...	600	54	11
3	Bapoo ...	6	2	8	37	35	125	160	...	250	7	...
4	Khundoo ...	4	2	6	6	4	150	200	...	200	50	...
5	Mularee ...	12	4	16	49	35	1,000	750	...	3,275	93	...
		31	12	43	144	121	1,600	1,560	...	5,125	42	11
	Hingungaon.											
6	Baboorow ...	2	5	7	57	57	50	150	200	2,000	35	30
7	Bapoo ...	1	2	3	24	30	100	105	500	3,300	110	57
8	Buwanee ...	2	3	5	8	8	100	100	200	1,000	125	8
9	Mularee ...	2	2	4	15	16	100	100	300	1,000	62	16
10	Bajajee ...	4	8	12	49	51	200	300	...	1,000	20	51
		11	20	31	153	162	650	755	1,200	8,300	51	162
	Burood.											
11	Raojee ...	1	2	3	31	27	100	170	500	2,000	74	27
12	Nimbajee ...	2	6	8	4	3	75	150	200	1,000	333	3
13	Succaram ...	2	2	4	12	16	75	100	200	1,000	62	12
14	Rama ...	1	4	5	5	3	100	100	...	400	133	3
15	Raghoo ...	3	8	11	20	9	225	250	...	1,500	166	...
		9	22	31	72	58	575	770	900	5,900	101	45
	Majivday.											
16	Gyanoo ...	1	5	6	14	39	100	175	...	2,000	50	17
17	Rama ...	2	6	8	19	20	100	275	500	1,500	75	9
18	Haree ...	2	3	5	4	10	100	150	...	1,500	150	10
19	Yessoo ...	2	7	9	4	13	200	300	...	1,000	77	13
20	Tukaram ...	1	6	7	2	4	100	300	...	3,000	750	4
TALUKA NAGAR.		8	27	35	43	86	600	1,200	500	9,000	104	53

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
					Class III.—contd.							
	Shewa.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA NAGAR—*contd.* 21	Rama ...	3	7	10	41	20	25	125	...	2,000	100	20
22	Succaram ...	1	3	4	31	13	25	76	...	3,000	230	13
23	Krishna ...	2	3	5	35	23	100	100	...	700	30	10
24	Luxmon ...	1	5	6	50	31	150	120	...	2,000	65	16
25	Bappu ...	3	7	10	18	13	150	175	...	700	53	8
		10	25	35	175	100	450	596	...	8,400	84	67
	Karjat.											
26	Bappu ...	5	8	13	94	22	110	115	10	400	18	22
27	Raojee ...	2	2	4	77	24	251	89	50	600	25	24
28	Suddu ...	2	2	4	65	13	34	56	...	300	23	8
29	Venkoo ...	3	4	7	71	14	20	117	100	1,000	71	7
30	Raghoo ...	3	1	4	10	3	42	65	...	165	55	3
		15	17	32	317	76	457	442	160	2,465	32	64
	Assooda.											
31	Yessoo ...	4	8	12	87	11	142	194	150	376	34	11
32	Suddu ...	2	4	6	26	6	.....	117	...	75	12	6
33	Dajee ...	1	2	3	25	11	31	79	...	100	9	11
34	Bulwant ...	6	14	20	164	41	252	290	100	600	15	33
35	Raghoo ...	3	9	12	18	6	75	176	...	100	16	...
		16	37	53	320	75	500	856	250	1,251	16	61
	Kolewadee.											
36	Baheroo ...	1	5	6	50	12	69	103	...	175	14	12
37	Baba ...	4	3	7	17	2	16	84	...	490	245	2
38	Marrutee ..	2	1	3	87	17	43	51	...	250	14	17
39	Pandu .	1	4	5	34	4	.....	103	...	...	...	...
40	Patlu ...	1	1	2	18	4	38	49	...	50	12	...
		9	14	23	206	39	166	390	...	965	24	31
	Patwadee.											
41	Yessu ...	2	4	6	62	12	48	82	...	50	4	...
42	Hunmunta ...	3	1	4	90	28	42	66	...	345	12	28
43	Yesswant ...	2	...	2	61	16	52	60	...	100	6	...
44	Bajajee ...	3	1	4	39	7	52	100	...	25	3	...
45	Peera ...	2	3	5	137	16	50	80	...	125	4	3
		12	9	21	389	89	244	388	...	645	7	31

TALUKA KARJAT.

APPENDIX A—No. II.—*continued.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres.	Assessment.			Before fifteen years.	At present.		
					Class III.—contd.							
	Turgaon.					Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
TALUKA KARJAT—*contd.* 46	Vithoo ...	3	3	6	28	6	105	88	...	40	6	...
47	Zarru ...	2	3	5	42	6	37	60	...	40	6	...
48	Khundu ...	1	3	4	31	5	49	56	...	...	...	...
49	Dada ...	2	4	6	22	4	44	85	...	20	5	...
50	Pandu ...	3	5	8	18	4	18	120	...	150	37	...
		11	18	29	141	25	253	409	...	250	10	...
	Párner.											
51	Vithoo ...	4	1	5	25	7	60	47	...	600	100	...
52	Vithoo ...	6	3	9	25	7	150	70	1,200	1,455	207	7
53	Bala ...	3	1	4	16	4	30	32	300	325	81	...
54	Tuljiram ...	2	4	6	18	6	45	52	74	200	33	...
55	Darkaee ...	2	1	3	16	6	45	34	75	325	54	6
		17	10	27	100	30	330	235	1,649	2,905	96	13
	Sarolla.											
56	Munoobhai ...	2	7	9	68	32	75	100	150	1,438	44	32
57	Aboojee ...	2	2	4	31	16	55	70	50	700	43	16
58	Luxmon ...	1	1	2	42	40	150	37	100	1,000	25	40
59	Dagdoo ...	2	6	8	92	50	150	112	100	550	11	50
60	Shumbhu ...	1	2	3	41	17	55	42	100	1,000	58	5
		8	18	26	274	155	485	361	500	4,688	30	143
	Kannoor.											
TALUKA PA'RNER. 61	Mahadhu ...	8	4	12	39	47	160	170	200	615	13	13
62	Tukaram ...	8	7	15	60	42	160	180	50	450	11	20
63	Gennoo ...	3	1	4	16	10	30	46	...	93	9	4
64	Honah ...	3	4	7	5	4	14	45	20	50	12	...
65	Chimlla ...	3	1	4	28	19	20	29	75	250	13	3
		25	17	42	148	122	384	470	345	1,458	12	40
	Bhadgaon.											
66	Dhondu ...	2	2	4	13	8	30	40	...	30	3	...
67	Abajee ...	7	1	8	11	10	120	100	...	50	5	...
68	Bherroo ...	4	2	6	¾	1	50	40	400	800	800	...
69	Balaee ...	2	1	3	20	11	4	40	...	20	1	6
70	Narayen ...	4	1	5	13	9	60	55	25	264	30	7
		19	7	26	57¾	39	264	275	425	1,164	29	13
	Pitsal.											
71	Wakoo ...	3	...	3	29	9	40	65	...	200	22	...
72	Bappoo ...	1	2	3	55	27	50	49	...	50	2	27
73	Pandu ...	4	1	5	50	18	120	100	50	600	33	18
74	Sallu ...	3	4	7	50	19	80	70	...	1,200	63	19
75	Succaram ...	1	2	3	32	17	40	44	...	180	10	17
		12	9	21	216	90	330	328	50	2,230	24	81

APPENDIX A—No. II.—*concluded.*

No.	Names.	Total Number of Family Members.			Land.		Produce.	Expenses.	Debt.		What multiple the debt is of Government Assessment.	Assessment of land under mortgage on account of debt.
		Useful.	Useless.	Total.	Extent in acres	Assessment.			Before fifteen years.	At present.		
	Shrigonda.				*Class III.*—concluded.							
						Rs.	Rs.	Rs.	Rs.	Rs.		Rs.
76	Chimma ...	2	2	4	7	8	30	60	50	445	50	8
77	Yessu ...	5	6	11	24	21	98	250	...	425	20	...
78	Yemajee ...	3	3	6	41	30	42	150	...	285	9	3
79	Succaram ...	4	1	5	16	9	30	150	...	200	22	2
80	Bappoo ...	8	3	11	45	26	67	200	...	410	15	12
	Belaodee.	22	15	37	133	94	267	810	50	1,765	18	25
81	Sudhoo ...	6	1	7	49	33	126	200	...	200	6	..
82	Kondee ...	2	4	6	51	34	70	100	...	73	2	34
83	Mayajee ...	3	3	6	1	2	73	75	...	...	...	...
84	Krishna ...	1	1	2	75	43	153	75	...	140	3	12
	Bhalgaon.	12	9	21	176	112	422	450	...	413	4	46
85	Madhoo ...	2	2	4	21	4	...	50	10	74	18	...
86	Madhoo ...	2	...	2	11	2	26	35	...	...	..	...
87	Peetor ...	5	...	5	15	2	31	60	95	95	47	...
88	Bhugah ...	3	2	5	5	4	27	75	100	355	88	...
89	Raojee ...	3	1	4	15	4	...	50	16	40	10	4
	Adalgaon.	15	5	20	67	16	84	270	221	564	35	4
90	Kerroo ...	4	4	8	28	14	187	150	25	250	17	...
91	Koosha ...	3	2	5	51	12	91	70	50	450	37	...
92	Raghoo ...	3	1	4	3	2	111	75	25	260	130	9
93	Balloo ...	4	5	9	8	6	90	75	25	225	37	6
94	Khundoo ...	2	5	7	7	2	65	60	100	450	225	7
	Taklee.	16	17	33	97	36	544	430	225	1,635	45	22
95	Dada ...	11	12	23	76	29	136	800	...	950	32	...
96	Limbajee ..	5	3	8	2	2	55	150	...	700	350	14
97	Succaram ...	6	4	10	46	17	91	300	100	3,360	197	25
98	Dhundee ...	4	3	7	19	7	200	100	...	1,095	156	9
99	Raojee ...	8	3	11	33	6	100	200	...	1,400	233	14
		34	25	59	176	61	582	1,550	100	7,505	123	62
	Grand Total...	312	333	645	3,404	1,586	9,187	12,545	6,575	66,728	...	983
	Total of the three Classes ...	1,173	1,305	2,478	18,321	8,859	46,384	58,858	14,385	128,696	...	1,728

TALUKA SHRIGONDA.

APPENDIX B.

No. 1.

Madhoo walad Oomajee. — *Párner.* — *Sowkar Marwari Tookaram.*

Years.	Former Balance.	Amount advanced during the year.	Interest	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1842... ...	...	31	*3	34	...	34	Rs. 4 for clothes and grains, and Rs. 27 in cash.
1843... ...	34	12	†...	46	15	31	For grain.
1844 and 1845	31	10	14	55	50	5	10 for do.
1846 to 1850	5	2	14	21	...	21	Clothes.
1851 and 1852	21	87	8	116	...	116	Rs. 85 paid to an old creditor, 2 grain.
1853 to 1860	116	20	...	136	97	39	Rs. 6 for assessment, 4 for grain, and 10 sundry expenses.
1861... ...	...	162	39	201	162	39	
1862 to 1866	39	13	‡208	260	10	250	Rs. 13 paid to an old creditor.
1867 to 1872	250	109	67	426	174	252	Rs. 28 for well, Rs. 25 for seeds, Rs. 112 for cattle, and Rs. 44 sundry expense.
1873 and 1874	252	97	295	644	‖213	431	Rs. 54 paid to an old creditor, Rs. 21 grains, and Rs. 22 in cash.
Maloo Baloo	131	66	...	197	21	176	
	300	...	54	354	50	304	Rs. 6 grains, Rs. 30 in cash, Rs. 30 for taking back a field formerly mortgaged.
	...	285	¶624	948	468	§480	
	...	447	‖663	1,110	630	480	

* Bearing interest at the rate of Rs. 74 and 37½ per cent per annum. Interest is charged only for Rs. 8 out of the sum of Rs. 31.

† Shows that the interest was not annually charged in the account.

‡ It is evident that the sum of Rs. 208 on account of interest for former years was charged up to 1860. This man was in debt of Rs. 31 in the year 1842, whereas in 1873-74 was in debt of Rs. 480.

¶ It is evident that only Rs. 39 were charged on account of interest for 19 years, whereas Rs. 624 were charged for 13 years, which is about 15 times more than the former amount, and at the same time the amount drawn from 1861 to 1874 is only 123 more than the original.

‖ This repayment was made by selling his bullocks and a dummee cart.

No. 2.

Bhimabai. — *Párner.* — *Tookaram Sowkar.*

Years.	Former Balance.	Amount advanced during the year.	Interest	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1845... ...	...	9	1	10	...*	10	For grains.
1846... ...	10	14	5	29	28	1	Rs. 9 for grains and 5 in cash.
1847... ...	1	26	5	32	20	12	Rs. 3 „ 16 „ 7 clothes.
1848... ...	12	15	9	36	...	36	Rs. 6 „ 5 „ 4 „
1849 to 1852.	36	83	33	152	20	132	Rs. 5 „ 11 „ 6 „ and Rs. 61 paid to an old creditor.
		147	53	200	68	132	
1853 to 1859.	132	6	*117	255	117	138	Rs. 2 paid to an old creditor, in cash 2, and grain 2.
1860 to 1861.	138	23	63	224	9	215	Paid in cash.
1862 to 1867.	215	†54	124	393	36	357	
1868... ...	357	19	...	376	...	376	
		102	304	406	162	244	
		249	357	606	230	376	

* Rs. 117 are on account of interest on the sum of Rs. 132 from 1853 to 1859 charged in lump for 7 years, that is, when the new Limitation Act came in force.

† Rs. 5 for assessment and Rs. 49 in cash.

No. 3.

Balaram Deshpande. *Párner.* *Tookaram Marwari.*

Years.	Balance of the former years.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1844... ...	.....	6	5	11	.....	11	For sundry expenses and grain.
1845... ...	11	130	.....*	141	.....	141	For payment to another creditor.
1846... ...	141	1	.....	142	.....	142	For sundry expenses.
1847... ...	142	5	.....	147	.....	147	Do. do.
1848... ...	147	24	96	267	16	251	Do. do.
1849 to 1851.	251	175†	159‡	585	59	526	
1852... ...	526	.....	.....	526	.....	526	
1853... ...	526	.....	.....	526	.....	526	
1854... ...	526	.....	.....	526	.....	526	
1855... ...	526	.....	.....	526	.....	526	
1856... ...	526	.....	.....	526	.....	526	
1857... ...	526	.....	.....	526	.....	526	
1858... ...	526	.....	.....	526	.....	526	
1859... ...	526	.....	.....	526	.....	526	
1860... ...	526	.....	.....	526	.....	526	
1861... ...	526	.....	.....	526	.....	526	
		341	260	601	75	526	
1862 to 1865	526	12	271	809	205	604	
1866... ...	604	.....	395§	999	.....	999	
		12	666	1,204	205	999	
		353	926	1,279	280	999	

* Shows that the interest was not annually charged in the account.

† Out of Rs. 175, the sowkar preferred a suit for Rs. 65 only; and putting the debtor in fear that he will be ruined by the execution of the decree thus obtained, caused him to pass a bond, including the interest Rs. 159.

‡ Interest Rs. 151, at the rate of Rs. 20 per cent, and Rs. 8 on account of court charges.

§ On passing of the new Limitation Act, the creditor out of the sum of Rs. 526 filed a suit for Rs. 390, including interest Rs. 195, which sum was lent on a separate bond, and obtaining a decree for the sum from the court, threatened the debtor by informing him to execute the decree thus obtained, forced him to mortgage all his lands for the sum of Rs. 999 in all.

No. 4.

Abdul Chand. *Párner.* *Sowkar Tookaram.*

Years.	Balance of former years.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1840	.....	1	.....	1	1	.....	For grains.
1841	.....	5	1	6	6	.....	
1842	.....	17	3	20	.....	20	
1843	20	7	6	33	4	29	Rs. 4 to an old creditor, bajri for Rs. 2, and miscellaneous Re. 1.
1844	29	.....	9	38	.....	38	
1845	38	.....	.....	38	.....	38	
1846	38	.....	.....	38	.....	38	
1847	38	.....	19	57	.....	57	
1848	57	1	24	82	.....	82	
1849	82	25	.....	107	.....	107	In cash Rs. 6, clothes 19. Got a bond for Rs. 106.
1850	107	.....	.....	107	.....	107	
1851	107	.....	.....	107	.....	107	
1852	107	.....	.....	107	.....	107	
1853	107	.....	.....	107	.....	107	
1854	107	.....	.....	107	.....	107	
1855	107	.....	.....	107	.....	107	
1856	107	.....	143	250	.....	250	Interest for 8 years charged in lump, and passed a bond for Rs. 250, bearing interest at 37½ per cent.
1857	250	.. ...	.. ...	250	.....	250	
1858	250	.....	.....	250	.....	250	
1859	250	.....	.....	250	25	225	
1860 and 1861 ...	225	.....	.....	225	41	184	
		56	205	261	77	184	
1862 to 1864 ...	184	22	†155	361	13	348	Interest for Rs. 250, Rs. 125, court's expenses Rs. 30
1865	348	14	*155	517	67	450	
1866	450	7	.....	457	.....	457	
1872-73	457	43	‡120	620	46	§574	*Interest for above Rs. 137, miscellaneous 4, and for clothes Rs. 14.
		86	430	700	126	574	
		142	635	777	203	574	

* Shows that no interest was annually charged in the account.
† The new Limitation Act having come in force, the charging of interest in the account was necessary.
‡ Interest is only charged for Rs. 50 from 1865, Rs. 18, for grains Rs. 10, in cash Rs. 92.
§ Shows that this man was in a debt of Re. 1 in 1840, whereas in 1872-73 the debt has been increased to Rs. 574.

No. 5.

KHATA *of Balajee Ramoshee.* *Párner.* *Tookaram Marwari.*

Years.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1840... ...	...	18	*11	29	14	15	Rs. 15 in cash, and Rs. 3 for sundry expenses.
1841... ...	15	9	†...	24	...	24	
1842... ...	24	...	...	24	...	24	
1843... ...	24	...	...	24	3	21	
1844... ...	21	...	...	21	...	21	
1845... ...	21	...	...	21	...	21	
1846... ...	21	1	‡ 4	26	..	26	
		28	15	43	17	26	

* Interest at the rate of 1 anna per month per rupee, *i. e.*, 75 per cent per annum. At ½ anna do., or 75 per cent per annum.
† It is evident that no interest was annually charged, hence no increase in the amount of debt.
‡ This amount is on account of cost on suit filed by the creditor.
§ The creditor waited for the repayment of the money for six years, and thereafter filed the suit.

No. 6.

KHATA *of Gopala.* *Shrigonda.* *Sowkar Ootumchund.*

1855... ...	267	40	71	378	42	336	
1856... ...	336	5	86	427	165	262	
1857... ...	262	100	84	446	125	321	
		145	241	653	332	321	
1858 to 1860	321	...	119	440	99	341	
1861... ...	341	...	129	470	31	439	
1862 and 1863	439	*5	307	751	50	701	
1864 to 1866	701	...	508	1,209	§706	‡503	
		5	1,063	1,389	886	503	
		*150	†1,304	1,721	¶1,218	503	
		‡417					

* Shows that only Rs. 5 were drawn after the passing of the new Limitation Act.
† Out of the total amount of interest Rs. 1,304, only Rs. 241 were on account of the interest charged in the account for years previous to 1858.
‡ Rs. 417 (267 + 150) were borrowed by the debtor in all, and though he paid Rs. 1,218, he is still under a debt of Rs. 503.
§ This sum was paid by selling all the cattle belonging to the debtor.
¶ Under the old Act of interest the debtor would have been freed from his debt on payment of Rs. 1,218, which sum is thrice larger than the original amount drawn by him, viz., Rs. 417.

No. 7.

KHATA *of Panloo.* *Shrigonda.* *Sowkar Naroo.*

Years.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1855... ...	50	46	*...	96	41	55	
1856 to 1861	55	...	†42	112	22	90	
			15 Court's expenses				
1862 to 1865	90	9	23	122	122	...	
		9	80	144	144	...	
		55	80	185	185	...	
		...	...	...	...	...	

* Shows that the interest was not annually charged in the account.

† The new Limitation Act having come in force, it was obligatory to charge interest on account of former years, in order to file a suit.

No. 8.

Ramcrustna. *Kolgaon.* *Bhikoo.*

Years.	Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1845 and 1846	80	...	...	80	...	80	Bond passed bearing interest at the rate of 24 per cent per annum.
1847... ...	80	...	...	80	...	80	
1848... ...	80	...	...	80	...	80	
1849... ...	80	...	...	80	...	80	
1850... ...	80	...	...	80	...	80	
1851... ...	80	...	...	80	...	80	
1852... ...	80	...	...	80	...	80	
1853... ...	80	...	...	80	...	...	
1854... ...	80	...	75	179	179		The sowkar, awaiting the repayment of the amount for long time, filed a suit in the court.
		On account of court expenses.	24				
	80	...	99	179	179	...	

* No interest appears to have been charged annually.

No. 9.

Mussoo. *Kolgaon.*

Years.	Former year's Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs. a.	Rs. a.	Rs. a. p.	Rs. a. p.	Rs.	Rs. a. p.	
1849... ...	...	1 13	*.....	1 13 0	...	1 13 0	Passed a bond bearing interest at 37½ per cent
1850... ...	1 13	...	.....	1 13 0	...	1 13 0	
1851... ...	1 13	...	.....	1 13 0	...	1 13 0	
1852... ...	1 13	...	.....	1 13 0	...	1 13 0	
1853... ...	1 13	...	.....	1 13 0	...	1 13 0	
1854... ...	1 13	...	1 13 0	7 15 9	...	7 15 9	
		Court expenses.	4 5 9				
		1 13	6 2 9	7 15 9	...	7 15 9	

* Interest was not annually charged in the account.

No. 10.

Khata *of Rania.* *Kolgaon.* *Sowkar.*

Years.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1844... ...	..	13	*...	13	...	13	
1845... ...	13	...	..	13	...	13	
1846... ...	13	...	...	13	...	13	
1847... ...	13	...	...	13	...	13	
1848... ...	13	...	...	13	...	13	
1849... ...	13	...	...	13	...	13	
1850... ...	13	...	12	25	25	...	
		13	12	25	25	...	

* No interest was annually charged in this account.

No. 11.

Ranoo. *Kolgaon.* *Bhikoo.*

Year.	Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1844	20	.....	.....	20	.....	20	Bond passed bearing interest at the rate of 12 per cent per annum.
1845	20	.....	.....	20	.....	20	
1846	20	.....	.....	20	.....	20	
1847	20	.....	.....	20	.....	20	
1848	20	.....	.....	20	.....	20	
1849	20	.....	.....	20	.....	20	
1850	20	.....	.....	20	.....	20	
1851	20	.....	.....	20	.....	20	
1852	20	.....	.....	20	.....	20	
1853	20	.....	20 Court expenses. 3	43	43	.....	The sowkar, awaiting the repayment from the debtor for a long time, sued in the court.
	20	.....	23	43	43	.....	

No. 12.

Madhoo. *Wughdwee.* *Ramchunder Sowkar.*

Years.	Balance of former years.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1855 ...	164	84	*...	248	120	128	
1856 ...	128	23	...	151	...	151	
	...	107	...	271	120	151	
1857 to 59	151	22	†143	316	‡226	90	
1860 ...	90	127	41	258	...	258	Jowari for Rs. 100 and
1861 ...	258	7	82	347	§347	...	Rs. 27 in cash.
	...	...	...	...	...	...	
1862 ...	...	25	...	25	...	25	
1863 ...	25	14	11	50	...	50	
1864 ...	50	14	23	87	2	85	
1865 ...	85	15	...	100	...	¶100	
1866 ...	100	66	...	166	25	141	Rs. 31 for paying the Government assessment and Rs. 35 sundry expenses.
1867 ...	141	114	100	355	5	‖ 350	Rs. 45 for a well, Rs. 63
1868 to 69	350	206	...	556	65	491	for grains, Rs. 6 sundry
1870 to 75	491	842	168	1,501	517	**984	expenses.
	...	1,296	302	1,598	614	984	
	...	1,723	568	2,291	1,307	984	

*Shows that no interest was charged annually in the accounts.

†The charging of all interest was necessary in consequence of the new Limitation Act having come in force.

‡This amount is on account of the value of a mare sold.

§The debtor relinquished his claims on the revenue of his field for 4 years, and thus freed himself from the debt.

¶The debtor mortgaged his field for Rs. 100.

‖The debtor mortgaged his land in the sum of Rs. 250 and passed a bond for Rs. 100 on his personal security duly registered as a decree.

**From 1862 to 1875 the debtor drew a sum of Rs. 1,296, of which he repaid Rs. 614 only; hence the stopping of the transaction by the creditor and disposal of the outstanding balance in the following manner :—

Mortgaged his land for Rs. 299
Passed a bond for ,, 685 on credit.

No. 13.

Rama Malee. *Kolgaon.* *Bhikoo Sowkar.*

Years.	Balance on account of former years.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1849 to 1853	31	21	31	83	6	77	Interest at 6½ per cent per annum.
1854 to 1855	77	62	22	161	10	§151	
1856 ...	151	74	38	263	40	223	
1857 ...	223	61	48	332	73	259	
1858 ...	259	28	65	352	25	327	
	...	246	204	481	154	327	
1859 ...	327	60	*193	580	75	505	
1860 ...	505	192	17	714	234	480	
1861 ...	480	...	†25	505	...	505	
1862 ...	505	...	...	505	...	505	
1863 ...	505	...	...	505	...	505	
1864 ...	505	126	...	631	...	631	
1865 ...	631	...	...	631	...	631	
1866 ...	631	199	‡310	1,140	227	¶913	
1867 ...	913	104	7	1,024	27	997	
1868 ...	997	136	...	1,133	19	1,114	
1869 ...	1,114	151	...	1,265	184	‖1,081	
	...	968	552	1,847	766	1,081	
	...	1,214	756	2,001	920	1,081	
		1,245					

* Shows that the arrears of interest on account of past years, was added in consequence of the new Limitation Act coming in force.

† Shows that the interest charged on account of the new items only, and not for the old one.

‡ Interest charged on account of last four years.

§ Passed a bond for Rs. 116.

¶ The debtor mortgaged his land for Rs. 199, and passed a bond in the sum of Rs. 714 on self security.

‖ Besides this debt, this man was in debt of the creditor, for which the latter having obtained a decree from the Civil Court for Rs. 225, got the former's right on the mortgaged land sold for Rs. 18 only. The assessment payable to Government was Rs. 24. The creditor has sunk a well in this land at a cost of Rs. 400.

No. 14.

Yeshwantrao. *Kolgaon.* *Sowkar Bhikoo.*

Years.	Balance of the past year.	Amount advanced during the year.	Interest.	Total.	Repayment made during the year.	Outstanding balance.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1844 ...	...	92	...	92	...	92	
1845 ...	92	...	...	92	...	92	Passed a bond at the rate
1846 ...	92	...	...	92	...	92	of 24 per cent interest.
1847 ...	92	...	...	92	...	92	
1848 ...	92	...	...	92	...	92	
1849 ...	92	...	...	92	...	92	
1850 ...	92	...	...	92	...	92	
1851 ...	92	...	...	92	...	92	
1852 ...	92	...	...	92	...	92	
1853 ...	92	...	...	92	...	92	
1854 ...	92	...	*92	205	205	...	
		Court expenses	21				
	...	92	113	205	205	...	

* No interest was annually charged in the account, and the suit was filed at the expiration of 12 years for Rs. 184, *i.e.*, charging the debtor only for Rs. 92 on account of interest.

No. 15.

Melloo Chumar. *Kolgaon.* *Sowkar Jethmul.*

Years.	Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1855 ...	1	123	* 17	141	91	50	Bearing interest at the
1856 ...	50	30	23	103	103	...	rate of 37½ per cent
1857 ...	...	75	...	75	...	75	per annum.
1858 ...	75	...	...	75	...	75	
1859 ...	75	...	...	75	...	75	
	...	228	40	269	194	75	For three years' interest.
1860 ...	75	5	† 60	140	9	131	
1861 ...	131	4	22	157	58	99	
1862 ...	99	...	...	99	...	99	
1863 ...	99	...	16	115	115	...	Charged in lump.
		9	98	182	182	...	
		237	138	376	376	...	

* The interest was charged whenever the repayment took place.

† The large sum of interest, on account of former years, charged in this year, was in consequence of the new Limitation Act having come in force.

No. 16.

Vittoo Muteeputee. *Kolgaon.* *Sowkar Jethmul.*

Year.	Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1852... ...	.....	16	†1	17	13	4	
1853... ...	4	.....	.....	4	.....	4	
1854	4	.....	.....	4	.....	4	
1855... ...	4	*33	8	45	45	.....	
	.....	49	9	58	58	.....	

* For assessment.
† The interest was charged in the account whenever the repayment took place.

No. 17.

Khata *of Nursoo.* *Kolgaon.* *Sowkar Soorujmul.*

Year.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1853... ...	4	26	8	38	17	21	
1854	21	21	7	49	49	.....	
1856... ...	.....	47	5	52	52	.....	
	.....	94	*20	118	118	.....	
		98					

* Show that the interest was only accounted for whenever repayment took place.

No. 18.

KHATA *of Muheeputee.* *Kolgaon.* *Bhikoo Sowkar.*

Year.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1841... ...	.....	83	*.....	.....	.....	83	
1842... ...	83	.....	.....	83	.....	83	
1843... ...	83	.....	.....	83	.....	83	
1844... ...	83	.....	.....	83	.....	83	
1845... ...	83	.....	.....	83	.....	83	
1846... ...	83	.....	.....	83	.....	83	
1847... ...	83	.....	.....	83	.....	83	
1848... ...	83	.....	.....	83	.....	83	
1849... ...	83	.....	.....	83	.....	83	
1850... ...	83	.....	.....	83	.....	83	
1851... ...	83	.....	†.....	83	.....	83	
1852... ...	83	.....	77	.....	180	.....	
		Court expenses.	20	180			
			97				
		83	97	180	180	.....	

* Shows that no interest was charged in the account.

† The creditor, after waiting 11 years for repayment of the loans, filed the suit in a court for Rs. 160, including 77 on account of interest, which sum was however less than the principal, Rs. 83.

No. 19.

KHATA *of Bajeerao Patel.* *Kolgaon.* *Bhikoo Sowkar.*

1853... ...	.....	100	*.....	100	.....	100	On bond at the rate of 24 per cent interest per annum.

* Since the date of the loan, no account appears to have been made up, hence no interest is charged..

No. 20.

Gopala Kolee. *Kolgaon.* *Sowkar.*

Years.	Balance of former years.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1847... ...	.....	11	*.....	11	.....	11	Passed a bond bearing interest at 37½ per cent per annum.
1848... ...	11	.....	.....	11	.....	11	
1849... ...	11	.....	.....	11	.....	11	
1850... ...	11	.....	.....	11	.....	11	
1851... ...	11	4	14	29	4	‡25	
1852... ...	25	.....	.....	25	.....	25	
1853... ...	25	3	.....	28	.....	28	
1854... ...	28	20	.....	48	26	22	
1855	22	.....	.....	22	.....	22	
1856... ...	22	.....	.....	22	.....	22	
1857... ...	22	.....	.....	22	.....	22	
1858... ...	22	.....	.....	22	.....	22	
1859... ...	22	.....	.....	22	.....	22	
	.....	38	14	52	30	22	
1860... ...	22	.....	†25	47	.....	47	
1861... ...	47	.....	.....	47	.....	47	
1862... ...	47	.....	.....	47	.....	47	
1863... ...	47	.....	.....	47	.....	47	
1864... ...	47	.....	.....	47	.....	47	
1865... ...	47	.....	.....	47	10	37	
	.....	.....	25	47	10	37	
		38	39	77	40	37	

* Shows that the interest was not charged annually in the account.

† In consequence of the new Limitation Act coming into force, the creditor was obliged to charge Rs. 25 on account of interest, and filed a suit in the Civil Court.

‡ Renewed the bond, including the amount of interest for 4½ years.

No. 21.

Kolgaon. ——*Sowkar.*

Years.	Former year's Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding.	Remarks.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs.	Rs. a. p.	
1848... ...	.....	7 12 0	*.....	7 12 0	.....	7 12 0	Passed a bond bearing 37½ per cent interest per annum.
1849... ...	7 12 0	.....	.....	7 12 0	.....	7 12 0	
1850... ...	7 12 0	.....	.....	7 12 0	.....	7 12 0	
1851... ...	7 12 0	.....	.....	7 12 0	.....	7 12 0	
1852... ...	7 12 0	.....	.....	.....	.....	7 12 0	
1853... ...	7 12 0	.....	7 12 0	15 8 0	.....	15 8 0	Obtained a decree for Rs. 15-8-0, *i.e.*, for double the amount of the original principal.
1854... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
1855... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
1856... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
1857... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
		7 12 0	7 12 0	15 8 0		15 8 0	
1858... ...	15 8 0	.....	.....	15 8 0	.....		
1859... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
1860... ...	15 8 0	.....	.....	15 8 0	.....	15 8 0	
1861... ...	15 8 0	.....	7 12 0	23 4 0	†19	15 8 0	
			Court expenses.			4 4 0	Remitted.
		.....	7 12 0	23 4 0	19	4 4 0	
		7 12 0	15 8 0	23 4 0	19	4 4 0	Remitted.

* Shows that the interest was not annually charged in the account.

† Though the creditor waited for the payment of the amount decreed by the court for many years was at length obliged to execute the decree in consequence of the new Limitation Act coming into force.

No. 22.

KHATA *of Nurso Korajee.* *Shrigonda.* ——*Sowkar.*

Years.	Former year's Balance..	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1862... ...	.....	*518	4	522	372	150	
1863... ...	150	273	.....	423	223	200	
1864... ...	200	100	.....	300	25	275	
1865... ...	275	213	32	520	115	405	
1866 to 1869...	405	148	414	967	182	785	
1870... ...	785	.....	214	999	.....	†999	
1871 to 1875...	999	.....	.....	999	150	‡849	
		1,252	664	1,916	1,067	849	

* The transaction was attributable to the rising of prices of grain in the year 1862.

† In the beginning the Government assessment was Rs. 50 and afterwards raised to Rs. 65 in the revision.

‡ The creditor, having failed in his temptation for opening the account, stopped further payment and got a bond from the debtor for Rs. 849, bearing instalment of Rs. 100 per annum, which sum is held in arrears by the debtor.

No. 23.

Ghospuri

Carpenter. *Khata of Puda walad Bhikajee.* *Kulkarni Sowkar of Ghospuri.*

Year.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1865 ...	...	49	14	63	14	49	Interest at ½ anna per rupee per month, *i.e.* 37½ per cent per annum.
1866 ...	49	1	18	68	...	68	
1867 ...	68	25	28	121	67	54	
1868 ...	54	1	15	70	9	61	
1869 ...	61	...	16	77	18	59	
1870 ...	59	4	14	77	...	77	For grains and clothes, &c.
1871 ...	77	...	13	90	37	53	
1872 ...	53	...	14	67	...	67	
1873 ...	67	...	17	84	15	69	
		80	*149	229	160	† 69	

* Rs. 139 on account of interest, Rs. 10 cost on suit filed by the plaintiff in 1873.

† Under the old law of interest, (Dom Dupat), the debtor would have been freed from his debt, because he paid Rs. 160, *i.e.*, double the amount of his original loan (Rs. 80), whereas under the new law he is still in a debt of Rs. 69.

No. 24.

Khata *of Bappoo.* *Kolgaon.* *Sowkar Soorujmul.*

1871 ...	75	...	18	93	18	75
1872 ...	75	50	20	145	20	125
1873 ...	125	...	30	155	51	104
		50	* 68	193	89	104
		125				

* Interest was charged whenever the repayment took place.

No. 25.

Khata *of Muloo walad Bhojee Malee.* *Shrigonda.* *Sowkar Ramchunder.*

1866-67 ...	95	168	141	404	73	† 331
1868-69 ...	331	94	177	602	277	325
1870-73 ...	325	172	269	766	166	600
1874 ...	600	25	...	625	*200	425
		459	587	1,141	716	425
		95				
		554				

* This amount is on account of the sale proceeds of 8 bullocks, which the debtor was obliged to sell for repayment to his creditor.

† Out of Rs. 331 his garden land bearing Government assessment Rs. 34, (under revision, Rs. 16) was mortgaged only for Rs. 200.

No. 26.

KHATA *of Pandoo.* *Shrigonda.* *Sowkar Balwantrao.*

Year.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1865-66 ...	...	* 519	70	589	239	350	Bearing interest at 24 per cent per annum.
1867 ...	350	13	† ...	363	1	362	
1868 ...	362	...	...	362	12	350	
1869 ...	350	...	...	350	...	350	
1870 ...	350	18	438	806	5	‡ 801	
		550	508	1,058	257	801	

* The object of opening this account was for the creditor to make out a good profit from the enhanced prices of grain in 1865-66, but he having failed in his attempts, stopped further transactions.

† Shows that the interest was not annually charged in the account.

‡ The creditor having awaited for three years and got a bond from the debtor in the sum of Rs. 801, with a condition to repay Rs. 100 per annum, which sum is, however, kept in arrears by the latter.

No. 27.

KHATA *of Surtun.* *Shrigonda.* *Sowkar Naroo.*

1865 ...	200	155	106	461	378	83	Rs. 431 for assessment for 5 years, Rs. 23 miscellaneous.
1866 ...	83	.....	.....	83	.....	83	
1867 to 1872	83	* 454	115	652	279	† 373	
1873 ...	373	.....	.....	373	.....	‡ 373	
		609	221	1,030	657	373	
		809					

* It appears that the creditor having been induced by the dearness of grain, paid such a large amount at once, but after seeing that only the sum of Rs. 279 was repaid during the five years, stopped the transactions.

† Out of Rs. 373, the debtor passed a bond for Rs. 245 on his own personal liability and mortgaged his land in the sum of Rs. 128.

‡ The creditor having not received in the repayment of his deed of mortgage, filed a suit and obtained a decree, for which he afterwards got the debtor's "wada" mortgaged in the sum of Rs. 250, and relinquished his claims on the land.

No. 28.

Maghee Amrat. *Shrigonda.* *Sowkar Ramchunder.*

Year.	Former Balance.	Amount advanced during the year.	Interest.	Total.	Amount repaid.	Balance outstanding	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1865 ...	...	*a* 168	66	234	...	234	Cash.
1866 ...	234	10	99	343	100	243	Mortgaged land for Rs. 150 and Rs. 93 without security.
1867-68 ...	243	66	38	347	106	241	Interest only charged for Rs. 93.
1869 ...	241	90	...	331	27	304	Rs. 43 for assessment, 47 for miscellaneous expenses.
1870 ...	304	79	...	383	29	354	„ 32 „ 47 „ „
1871 ...	354	87	...	441	26	415	„ 40 „ 47 „ „
1872 ...	415	89	...	504	27	477	„ 42 „ 47 „ „
1873 ...	477	88	...	565	21	*c* 544	„ 41 „ 47 „ „
	...	*b* 677	203	880	336	544	* 235

*Rs. 70 for bullocks and 165 for other purpose.

a Being induced by the enhanced prices of grain, the creditor opened the account.
b Out of the total amount advanced, Rs. 677, only Rs. 336 have been repaid during 8 years.
c Of the total sum of Rs. 544 remaining unpaid at the close of 1873, the debtor passed a bond for Rs. 394 and mortgaged his land for Rs. 150, and the interest on that account has not been charged in the account.

No. 29.

KHATA *of Gunoo walad Bappoo Malee.* *Kolgaon.* *Sowkar Roopchund.*

Year.	Former year's Balance.	Advances during the year.	Interest.	Total.	Receipts during the year.	Balance outstanding.	Remarks.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1871 ...	198	*a* 210	.....	408	.....	408	
1872 ...	408	*b* 194	102	704	104	600	
1873 ...	600	*c* 42	.....	642	2	640	
1874 ...	640	*d* 145	184	969	66	*c* 903	
1875 ...	903	.....	.....	903	72	831	
		591	286	1,075	244	831	
		789					

a Rs. 30 for grain, Rs. 61 for paying Government assessment, and Rs. 119 for sundry expenses.
b Rs. 95 paid to farmer, Rs. 55 assessment, Rs. 44 miscellaneous.
c Rs. 20 grain, Rs. 4 assessment, Rs. 18 paid to another creditor.
d Rs. 95 paid to farmer, Rs. 30 for bullocks, Rs. 20 miscellaneous.

Number of the Statement.	Principal.			Interest.			Total of Principal and Interest.	Amount repaid.
	Before Limitation.	After Limitation.	Total.	Before Limitation.	After Limitation.	Total.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	162	285	447	39	624	663	1,110	630
2	147	102	249	53	304	357	606	230
3	341	12	353	260	666	926	1,279	280
4	56	86	142	205	430	635	777	203
5	28	.....	28	15	.....	15	43	17
6	412	5	417	241	1,063	1,304	1,721	1,218
7	96	9	105	.....	80	80	185	185
8	80	.....	80	99	.....	99	179	179
9	1-13-0	.....	1-13-0	6-2-9	.....	* 6-2-9	7-15-9	.....
10	13	.....	13	12	.....	12	25	25
11	20	.....	20	23	.....	23	43	43
12	271	1,452	1,723	.....	568	568	2,291	1,307
13	277	968	1,245	204	552	756	2,001	920
14	92	.....	92	†113	.....	113	205	205
15	229	9	238	40	98	138	376	376
16	49	.....	49	9	.....	9	58	58
17	98	.....	98	20	.....	20	118	118
18	83	.....	83	97	.....	‡ 97	180	180
19	100	.....	100	.....	.....	.....	100	.....
20	38	.....	38	14	25	39	77	40
21	7-12-0	.....	7-12-0	7-12-0	§ 7-12-0	15-8-0	23-4-0	19
	2,601-9-0	2,928	5,529-9-0	1,457-14-9	4,417-12-0	5,875-10-9	11,405-3-9	6,233
22	.....	1,252	1,252	.....	664	664	1,916	1,067
23	.....	80	80	.....	149	149	229	160
24	.....	125	125	.....	68	68	193	89
25	.....	554	554	.....	587	587	1,141	716
26	.....	550	550	.....	508	508	1,058	257
27	.....	809	809	.....	221	221	1,030	657
28	.....	677	677	.....	203	203	880	336
29	.....	789	789	.....	286	286	1,075	244
	.....	4,836	4,836	.....	2,686	2,686	7,522	3,526
	2,601-9-0	7,764	10,365-9-0	1,457-14-9	7,103-12-0	8,561-10-9	18,927-3-9	9,759

RACT.

Balance.	Of Principal and Interest.				Remarks.
	Principal.	Interest before Limitation.	Interest after Limitation.	Total of Interest.	
Rs.	Rs.	Rs.	Rs.	Rs.	
480	.....	.....	480	480	
376	19	53	304	357	
999	73	260	666	926	
574	.....	144	430	574	
26	11	15	.....	15	
503	.....	.....	503	503	
.....	.....	.....	.....	.....	
.....	.....	.....	.....	.....	
7-15-9	1-13-0	6-2-9	.....	6-2-9	* Includes court expenses, Rs. 5-5-9, and interest, Rs. 1-13-0.
.....	.....	.....	.....	.....	Rs. 3 on account of court expenses.
.....	.....	.....	.....	.....	
984	416	.....	568	568	
1,081	325	.....	756	756	
.....	.....	.....	.....	.....	† Rs. 92 on account of interest and Rs. 21 on account of court expenses.
.....	.....	.....	.....	.....	
.....	.....	.....	.....	.....	
.....	.....	.....	.....	.....	
.....	.....	.....	.....	.....	‡ Includes Rs. 20 on account of court expenses, and 77 net interest.
100	100	.....	.....	.....	
37	.....	12	25	37	
4-4-0	.....	.....	4-0-0	4-4-0	§ Includes court expenses.
5,172-3-9	945-13-0	490-2-9	3,736-4-0	4,226-6-9	
849	185	.....	664	664	
69	.....	.....	69	69	
104	36	.....	68	68	
425	.....	.....	425	425	
801	293	.....	508	508	
373	152	.....	221	221	
544	341	.....	203	203	
831	545	.....	286	286	
3,996	1,552	...	2,444	2,444	
9,168-3-9	2,497-13-0	490-2-9	6,180-4-0	6,670-6-9	

APPENDIX C.

KHATA *of* *a Cultivator in Khandesh.*

	Rs.	a.	p.	Rs.	a.	p.
Received in cash from Sowkar in 1863				10	0	0
Compound interest charged in—	Rs.	a.	p.			
1863	3	12	0			
1864	5	2	6			
1865	7	2	0			
1866	9	12	0			
1867	13	2	0			
1868	18	6	0			
1869	25	2	0			
1870	34	8	0			
1871	47	10	0			
1872	65	10	0			
1873	90	0	0			
				320	2	6
				330	2	6
Deduct—						
The amount paid by the cultivator in—						
1865	10	0	0			
1868	15	0	0			
1869	10	0	0			
1871	25	0	0			
1874	50	2	6			
				110	2	6
Balance still due ...				220	0	0
Grand Total ...				330	2	6

KHATA *of* *a Cultivator in Khandesh.*

	Rs.	a.	p.	Rs.	a.	p.
Received in cash in 1860				25	0	0
Compound interest charged in 1860	18	0	0			
From 1861 to 1865	49	7	3			
„ 1866 to 1868	65	10	5			
„ 1869 to 1874	101	3	2			
				234	4	10
				259	4	10
Deduct—						
The amount repaid in—						
1865	25	7	3			
1868	44	10	5			
				70	1	8
Balance still due ...				189	3	2
Grand Total ..				259	4	10

REMARKS.

1. Under the old law of limitation the amount of interest in all would not have exceeded that of the principal, viz., Rs. 10 and 25; whereas under the existing law the creditors, being able to renew the bonds frequently, have charged Rs. 320-2-6 and 234-4-10, respectively, on account of interest in both the khatas.

APPENDIX D.

Extract from Chitly's Collections, Vol. III., Chap. 4 *C., Will. IV.*

"III.—That all actions of debt rent upon an indenture of demise, all actions of covenant or debt upon any bond or other speciality, and all actions of debt or *scire facias* upon any recognizance, and also all actions of debt upon any award where the submission is not by speciality or for any fine due in respect of any copyhold estates or for an escape, or for money levied on any *fieri facias*, and all actions for penalties, damages or sums of money given to the party grieved by any statute now or hereafter to be in force that shall be sued or brought at any time after the end of the present session of parliament, shall be commenced and sued : (*a*), within the time and limitation hereafter expressed, and not after ; that is to say, the said actions of debt for rent upon an indenture of demise or covenant, or debt, upon any bond or *scire facias* upon recognizance, within 10 years after the end of this present session or within 20 years after the cause of such actions or suits, but not after ; the said actions by the party grieved, one after the end of this present session, or within two years after the cause of such actions or suits, but not after; and the said other actions within 3 years after the end of this present session, or within 6 years after the cause of such actions or suits, but not after : Provided that nothing herein contained shall extent to any action given by any statue where the time for bringing such action is, or shall be, by any statute specially limited."

Limitation of action of debt on specialities.

APPENDIX E.

Extract Para. 239, *Chapter VI., Vol. I. of Story on Equity Jurisprudence.*

"239. Cases of an analogous nature may easily be put, where the party is subjected to undue influence, although in other respects of competent understanding. As where he does not act or makes a contract when he is under duress or the influence of extreme terror or of threats, or of apprehensions short of duress. For in cases of this sort, he has no free will, but stands *in vinculis;* and the constant rule in equity is, that when a party is not free agent and is not equal to protecting himself, the court will protect him. The maxim of the common law is: *Quod alias bonum et justum est, si per vim vel fraudem patatur, malum et injustum efficitor.* On this account Courts of Equity watch with extreme jealousy all contracts made by a party while under imprisonment, and if there is the slightest ground to suspect oppression or imposition in such cases they will set the contracts aside. Circumstances also of extreme necessity and distress of the party, although not accompanied by any direct restraint or duress, may, in like manner, so entirely overcome his free agency as to justify the court in setting aside a contract made by him, on account of some oppression or fraudulent advantage, or imposition attendant upon it."

APPENDIX F.

Name of Taluka.	Name of Village.	Total Khatas.	Number of indebted Khatas.	Assessment paid by the indebted Khatadars.	Amount of Debt.			What multiple the debt is of Government Assessment.
					On Land.	On Personal Security.	Total.	
Párner—				Rs.	Rs.	Rs.	Rs.	
1	Rajungaon ...	129	38	747	2,267	2,812	5,079	7
2	Wagoonda ...	44	21	121	1,783	2,918	4,701	40
3	Astagaon ...	65	23	406	150	4,066	4,216	10
4	Boree Gagurda .	48	17	301	435	996	1,431	4
5	Pandli ...	62	33	586	3,930	1,320	5,250	10
6	Walvani ...	63	33	548	2,555	7,031	9,586	18
7	Saroda ...	71	36	986	7,714	12,245	19,959	20
8	Supa	69	29	500	5,749	16,665	22,414	45
9	Rytul	50	21	434	1,493	8,165	9,658	22
10	Párner	297	48	972	10,100	5,035	15,135	16
11	Ghorbaree ...	133	56	1,395	1,334	6,524	7,858	5
12	Baburdi ...	45	16	173	2,735	2,075	4,810	28
13	Kudos	52	25	560	6,399	1,283	7,682	14
	Total ...	1,128	396	7,729	46,644	71,135	1,17,779	15
Shrigonda—								
1	Bolwadee ..	152	71	2,705	12,950	31,125	44,075	15
2	Pipalgaon ...	70	81	1,469	10,661	15,156	25,817	18
3	Dhorgaon ...	42	44	1,302	5,184	21,464	26,648	13
	Loni	97	50	1,213	2,535	7,384	9,919	8
	Total ...	361	246	6,689	31,330	75,129	1,06,459	16
	Grand Total...	1,489	642	14,418	77,974	1,46,264	2,24,238	16

APPENDIX G.

STATEMENT showing what Multiple the Indebted Holdings are of Government Assessment

Name of Zillah.	Class.	Rs. 5	Rs.10	Rs.15	Rs. 20	Rs. 25	Rs. 30	Rs. 40	Rs. 50	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Above 100.	Total.
Poona Zillah.	I. ...	13	15	13	14	6	1	5	2	2	4	...	2	...	4	81
	II. ...	5	23	14	3	12	5	8	4	2	...	2	2	3	3	86
	III. ...	6	9	6	4	6	5	7	8	1	6	5	5	4	12	84
	Total ...	24	47	33	21	24	11	20	14	5	10	7	9	7	19	251
Nagar Zillah.	I. ...	18	10	8	7	3	1	...	1	1	1	...	...	...	...	50
	II. ...	24	20	13	5	7	5	6	5	1	1	2	...	...	5	94
	III. ...	10	11	12	6	6	2	8	6	5	4	4	2	3	16	95
	Total ...	52	41	33	18	16	8	14	12	7	6	6	2	3	21	239
	Grand Total ...	76	88	66	39	40	19	34	26	12	16	13	11	10	40	490

APPENDIX H.

STATEMENT showing the Number of Holdings and their Family Members, as well as the Amount of Assessment paid by them.

NAGAR COLLECTORATE.

Number of Family Members.	Rs. 5	Rs. 10	Rs. 15	Rs. 20	Rs. 25	Rs. 30	Rs. 40	Rs. 50	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Rs. 125	Rs. 150	Rs. 200	Rs. 250	Above Rs. 250	Total.
1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
2	3	1	1	2	...	...	1	1	...	...	...	...	...	...	...	...	...	...	9
3	...	2	4	5	1	3	...	1	...	...	...	...	...	...	...	...	...	...	16
4	6	5	3	6	3	3	3	1	1	1	...	...	...	...	...	...	...	...	33
5	5	6	4	2	4	3	3	4	...	...	1	1	...	...	1	...	...	...	33
6	5	6	6	5	4	1	5	1	1	...	2	1	...	1	...	...	...	...	38
7	6	2	3	3	2	1	2	2	5	...	...	...	...	...	...	...	1	...	27
8	4	2	2	2	3	3	2	3	4	1	...	...	...	...	...	...	...	...	26
9	...	5	3	3	4	1	3	1	1	1	...	...	...	1	...	...	...	...	23
10	1	1	4	5	2	1	6	1	...	...	...	...	...	2	...	...	...	...	23
11	..	2	2	2	2	1	2	...	...	...	2	...	...	...	...	...	...	...	13
12	1	2	2	...	1	2	1	5	4	1	...	...	1	...	...	...	...	...	20
13	...	...	1	1	3	...	...	...	...	...	...	...	...	...	1	...	...	...	6
14	...	...	2	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	3
15	...	...	...	1	...	...	...	2	1	...	1	...	...	...	...	...	...	...	5
16	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	2
17	...	...	...	...	...	1	1	...	1	...	1	...	...	...	...	...	...	...	4
18	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1
19	...	...	...	...	...	..	...	...	1	...	...	...	...	...	...	..	..	..	1
20 and upwards.	...	...	1	...	...	2	2	4	...	...	...	1	...	2	1	...	1	...	14
Total...	31	34	38	37	30	23	32	27	19	4	7	3	1	6	3	...	2	...	297

APPENDIX H—*continued.*

POONA COLLECTORATE.

Number of Family Members.	Rs. 5	Rs. 10	Rs. 15	Rs. 20	Rs. 25	Rs. 30	Rs. 40	Rs. 50	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Rs. 125	Rs. 150	Rs. 200	Rs. 250	Above Rs. 250	Total.
1	...	...	...	...	...	...	...	...	...	...	1	...	..	..	...	...	...	..	1
2	1	2	...	2	1	...	...	..	..	...	...	...	..	...	...	...	...	..	8
3	2	4	2	4	..	..	2	1	...	...	...	...	1	...	...	...	...	...	14
4	4	6	2	5	5	1	...	2	...	1	2	...	...	...	...	1	...	...	31
5	4	3	5	2	5	2	2	2	2	1	1	...	...	2	...	1	...	...	34
6	5	5	4	4	5	2	2	...	4	3	..	...	...	..	1	...	1	...	36
7	7	7	1	2	...	1	2	1	2	...	...	...	1	...	...	...	...	...	21
8	2	11	1	2	2	...	..	..	2	1	...	1	...	2	...	...	...	...	25
9	6	...	...	...	3	2	1	1	2	1	...	1	...	..	2	...	...	..	19
10	...	1	2	3	2	4	1	...	1	...	...	...	...	2	...	...	...	...	19
11	3	...	...	1	...	1	4	1	...	2	...	...	...	...	...	...	1	...	10
12	2	...	...	...	1	...	1	2	...	...	...	...	...	..	...	1	...	...	6
13	...	...	...	1	...	..	...	...	...	1	1	...	1	...	...	...	1	...	6
14	..	..	...	...	...	1	1	2	...	1	...	1	...	...	2	...	...	...	7
15	...	1	1	...	2	1	...	1	1	..	...	...	...	...	..	...	2	...	8
16	...	...	...	1	3	...	...	...	...	...	...	...	...	...	..	...	..	...	4
17	...	...	...	...	...	1	..	...	...	...	...	...	...	...	..	...	...	...	1
18	...	...	...	...	1	...	...	...	...	...	...	1	...	...	...	...	...	...	3
19	...	...	2	...	...	...	...	1	...	...	...	..	...	...	...	...	...	...	2
20	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	..
Above 20	...	1	...	...	...	...	...	...	2	...	1	...	1	1	1	...	1	3	11
Total...	38	42	18	32	27	14	19	11	16	10	8	2	4	9	4	5	4	3	266

Total	...266
Add without assessment	2
Total	.. 268

APPENDIX I.

Results of 11 *Villages in Párner.* (*See for* 4 *villages of Shrigonda at page* .)

Debts.	Number with reference to Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Above Rs. 100.	Without Assessment.	Total.	
Rs. 50	14	18	14	6	6	5	1	1	1	1	1	...	...	...	...	...	...	4	72	3,600
,, 100	10	18	14	3	8	6	1	1	2	...	1	1	2	1	..	1	...	4	73	7,300
,, 150	3	10	7	4	2	1	1	...	1	...	...	...	...	...	...	...	...	1	30	4,500
,, 200	5	10	9	9	4	1	1	...	4	1	...	...	...	...	...	...	...	1	45	9,000
,, 300	2	10	5	6	8	5	1	3	1	1	1	2	...	...	...	...	...	1	46	13,800
,, 400	1	3	4	2	2	4	2	1	1	...	...	1	...	...	...	...	...	1	22	8,800
,, 500	3	2	4	2	...	2	3	4	...	...	...	1	1	...	...	...	2	1	25	12,500
,, 600	2	...	2	2	1	...	1	1	1	1	..	...	...	...	...	1	..	...	12	7,200
,, 700	...	...	1	...	...	1	...	1	1	...	...	1	...	...	...	...	...	...	5	3,500
,, 800	...	...	1	2	1	...	1	...	...	1	...	...	...	...	...	...	...	...	6	4,800
,, 900	...	1	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	3	2,700
,, 1,000	...	...	...	...	...	1	...	1	...	1	...	...	...	...	...	...	...	...	3	3,000
,, 1,100	...	...	...	...	...	1	1	1	...	...	...	...	...	...	...	...	...	...	3	3,300
,, 1,500	...	1	1	...	1	1	...	...	1	...	...	...	...	...	1	...	...	...	6	9,000
,, 1,700	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	1,700
,, 2,000 and upwards.	1	...	...	...	...	...	1	...	...	...	...	...	...	...	1	...	...	...	3	6,000
Total	41	73	63	36	33	29	15	14	13	6	3	6	3	1	2	2	2	13	355	1,00,700

Total Khatas 1,031.

It will be seen that nearly half of the debtors are paying assessment from Rs. 5 to 15 annually.

No. 1.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Rajangaon, Taluka Párner.

Amount of Debt.	Number of the Debtors with reference to the Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total.	
Rs. 50	1	2	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	
,, 100	1	4	2	1	...	1	...	...	2	...	...	...	...	...	...	1	...	...	12	
,, 150	...	2	3	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	7	
,, 200	...	1	...	1	1	...	...	...	2	...	...	...	...	...	...	...	...	...	5	
,, 300	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 400	...	1	2	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	5	
,, 500	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 600	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	...	...	2	
,, 700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 800	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
Total	2	11	9	4	3	2	...	1	4	...	...	...	...	...	...	2	...	...	38	

Total Khatas 129.

No. 2.

STATEMENT showing the Number and Limits of the Debts of the Ryots of Waghunda, Taluka Párner.

Amount of Debt.	Number with reference to the Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Above Rs. 100.	Without Assessment.	Total.	
Rs. 50																		4	4	Total Khatas 44.
,, 100		1																3	4	
,, 150			1															1	2	
,, 200																		1	1	
,, 300		1	1		1													1	4	
,, 400		1		1														1	3	
,, 500			1	1														1	3	
Total		3	3	2	1													12	21	

No. 3.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Astagaon, Taluka Párner.

Amount of Debt.	Number of debts with reference to Government Assessment																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total.	
Rs. 50		1																	1	Total Khatas 65.
,, 100	2	1			1	1		1											6	
,, 150		2		2	2														6	
,, 200	2		3																5	
,, 300						1		1											2	
,, 400							1												1	
,, 500						1	1												2	
Total	4	4	3	2	3	3	2	2											23	

No. 4.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Bhori Gogurda, Taluka Párner.

Amount of Debt.	Number of Debtors with reference to the Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total.	
Rs. 50	1	4	2		1			1			1								10	Total Khatas 48.
,, 100	1	2			1	1													5	
,, 150																				
,, 200																				
,, 300						2													2	
Total	2	6	2		2	3		1			1								17	

No. 5.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Pádli, Tarf Rajangaon, Taluka Párner.

Amount of Debt.	Number with reference to Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Above Rs. 100.	Without Assessment.	Total.	
Rs. 50	...	4	4	5	2	1	...	...	...	...	...	...	...	...	...	...	...	...	16	Total Khatas 62.
,, 100	...	2	2	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	6	
,, 150	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 200	...	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	
,, 300	...	1	...	1	1	...	...	...	1	...	...	...	...	...	...	...	...	...	4	
,, 400	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 500	...	...	...	...	...	...	1	1	...	...	...	...	...	...	...	...	...	...	2	
,, 600	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 700	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 800	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 900	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
Total...	...	8	7	8	3	4	1	1	1	...	...	...	...	...	...	...	...	...	33	

No. 6.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Walowne, Taluka Párner.

Amount of Debt.	Number of Debts with reference to Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Above Rs. 100.	Without Assessment.	Total.	
Rs. 50	1	1	3	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	6	Total Khatas 63.
,, 100	2	1	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6	
,, 150	2	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	3	
,, 200	...	3	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5	
,, 300	...	1	...	2	1	...	...	...	...	...	...	...	...	...	...	...	...	...	4	
,, 400	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	2	
,, 500	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	
,, 600	1	...	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	3	
,, 700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 800	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 900	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
,, 1,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,100	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	
Total...	6	7	8	4	2	...	2	1	1	1	...	1	...	...	...	...	...	...	33	

No. 7.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Sarola, Taluka Párner.

Amount of Debt.	Number of the Debtors with reference to the Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100	Rs. 100 and upwards.	Without Assessment.	Total No. of Debtors of each class.	
Rs. 50	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	Total Khatas 71.
,, 100	...	2	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	
,, 150	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	2	
,, 200	2	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	
,, 300	...	1	...	1	1	...	...	1	...	...	1	...	...	...	...	...	...	...	5	
,, 400	...	...	...	...	...	2	...	...	...	...	...	1	...	...	...	...	...	...	3	
,, 500	1	...	1	...	...	...	...	2	...	...	...	...	...	...	...	...	...	...	4	
,, 600	1	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	3	
,, 700	...	...	1	...	...	...	...	...	1	...	...	1	...	...	...	...	...	...	3	
,, 800	...	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	
,, 900	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,000	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	
,, 1,100	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
,, 1,500	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	
,, 1,700	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 2,000	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Total...	4	5	4	4	2	3	4	3	1	2	1	2	...	...	1	...	...	...	36	

No. 8.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Supa, Taluka Párner.

Amount of Debt.	Number of the Debtors with reference to the Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total No. of Debtors of each class.	
Rs. 50	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	Total Khatas 69.
,, 100	1	3	1	..	3	...	...	...	...	...	...	...	...	...	...	...	...	...	8	
,, 150	1	2	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	4	
,, 200	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	
,, 300	1	2	1	1	...	1	...	...	...	...	...	...	...	...	..	..	...	...	6	
,, 400	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	
,, 500	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 600	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 800	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 900	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,100	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,500	...	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	3	
,, 1,700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 2,000	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	2	
Total...	6	10	2	2	4	1	...	1	2	...	...	...	...	...	...	1	...	...	29	

No. 9.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Rayatale, Taluka Párner.

Amount of Debt.	Number of Debts with reference to Government Assessment.																			Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total.	
Rs. 50 ...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	Total Khatas 50.
,, 100 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1	
,, 150 ...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 200 ...	...	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	
,, 300 ...	...	2	1	...	1	...	...	...	...	...	...	1	...	...	...	...	...	...	5	
,, 400 ...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 500 ...	1	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	3	
,, 600 ...	...	...	1	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	3	
,, 700 ...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	
,, 800 ...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	
,, 900 ...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 1,000 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,100 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,500 ...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	
Total...	1	3	5	3	2	1	2	1	...	1	...	1	...	...	...	...	...	1	21	

No. 10.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Párner.

Amount of Debt.	Number of the Debtors with reference to Government Assessment.																			Remarks.
	Rs. 5.	Rs. 10.	Rs. 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 100 and upwards.	Without Assessment.	Total	
Rs. 50	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	Total Khatas 297.
,, 100	2	2	2	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	9	
,, 150	...	2	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	
,, 200	...	4	4	2	2	1	1	...	...	...	...	...	...	...	...	...	...	...	14	
,, 300	1	1	2	...	...	...	1	1	...	1	...	1	...	...	...	...	...	...	8	
,, 400	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	2	
,, 500	1	...	1	1	...	1	...	...	...	...	...	...	...	...	...	...	1	...	5	
,, 600	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 800	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 900	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 1,000	...	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	...	2	
,, 1,100	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	
,, 1,500	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
Total...	6	9	12	5	2	6	2	2	...	1	1	1	...	...	...	...	1	...	48	

No. 11.

STATEMENT showing the Number and Limit of the Debts of the Ryots of Ghospuri, Taluka Párner.

Amount of Debt.	Number of the Debtors with reference to Government Assessment.																		Remarks.
	Rs. 5.	Rs. 10.	Rs 15.	Rs. 20.	Rs. 25.	Rs. 30.	Rs. 35.	Rs. 40.	Rs. 45.	Rs. 50.	Rs. 55.	Rs. 60.	Rs. 70.	Rs. 80.	Rs. 90.	Rs. 100.	Rs. 10 and upwards.	Without Assessment.	Total.	
Rs. 50 ...	8	6	4	1	2	4	...	...	1	...	...	...	...	...	...	...	...	...	26	Total Khatas 133.
,, 100 ...	1	...	3	...	3	...	1	...	...	...	...	1	2	1	...	...	...	...	12	
,, 150 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 200 ...	1	...	...	...	1	...	...	...	2	1	...	...	...	...	...	...	...	...	5	
,, 300 ...	...	1	...	1	2	1	..	.	...	...	...	...	...	...	...	...	...	...	5	
,, 400 ...	...	...	1	...	1	1	...	...	1	...	...	...	...	...	...	...	...	...	4	
,, 500 ...	...	...	...	...	...	...	...	1	...	...	...	...	1	...	...	...	1	...	3	
,, 600 ...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 700 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
,, 800 ...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Total...	10	7	8	2	9	6	2	1	4	1	...	1	3	1	...	...	1	...	56	

ABSTRACT showing the Numbers and Limits of the Debts of the Ryots of 4 villages of Taluka Shrigonda.

Amount of Debt.	Number of the Debtors with reference to Government Assessment.																			Remarks.
	Rs. 5	Rs. 10	Rs. 15	Rs. 20	Rs. 25	Rs. 30	Rs. 35	Rs. 40	Rs. 45	Rs. 50	Rs. 55	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Above Rs. 100	Without Assessment.	Total.	
Rs. 50 ...	6	10	7	5	3	1	...	...	1	...	...	1	...	...	...	...	...	.....	34	1,700
,, 100 ..	7	9	6	2	2	1	2	...	1	1	1	...	1	...	1	...	...	.....	34	3,400
,, 150 ...	...	4	2	1	3	3	1	...	1	...	...	...	1	...	...	...	...	.....	16	2,400
,, 200 ...	1	6	5	4	4	6	...	1	2	1	1	...	...	...	...	...	...	.....	31	6,200
,, 300 ...	3	2	3	4	3	3	2	2	2	1	...	1	...	...	1	...	...	.....	27	8,100
,, 400 ...	1	3	2	1	3	2	3	2	...	1	...	...	3	...	...	...	...	.....	21	8,400
,, 500 ...	2	...	3	4	...	1	2	1	3	...	3	1	...	1	...	1	..	.....	22	11,000
,, 600 ...	2	1	...	4	5	2	1	3	1	...	...	1	...	...	...	...	...	.....	20	12,000
,, 700 ..	2	...	...	...	1	1	2	2	1	...	...	...	...	...	...	...	...	.....	9	6,300
,, 800 ...	1	...	...	1	1	1	1	...	...	...	...	...	...	...	...	...	...	.....	5	4,000
,, 900 ...	...	...	...	...	...	...	2	1	...	...	2	...	...	...	..	...	...	.....	5	4,500
,, 1,000 ...	1	...	...	...	...	...	...	1	1	...	2	...	...	...	...	...	1	.....	6	6,000
,, 1,100 ...	...	...	...	...	1	...	1	...	...	...	1	...	...	...	...	...	...	.....	3	3,300
,, 1,500 ...	...	...	1	1	.	...	...	1	2	1	1	...	...	...	...	..	...	.....	7	10,500
,, 1,700 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	...	...
,, 2,000 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	1	.....	2	4,000
,, 3,000 ... and upwards.	...	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	2	.....	4	12,000
	26	35	29	28	26	21	17	14	15	5	11	4	5	3	2	1	4	.....	246	1,03,800
	130	350	435	560	650	630	595	560	675	250	605	240	350	240	180	100	400	.....	...	...

Total Khatas 361.

No. 1.

STATEMENT showing the Number and Limits of the Debts of the Ryots of Bolivadi, Taluka Shrigonda.

Amount of Debt.	Number with reference to the Government Assessment.																		Remarks.
	Rs. 5	Rs. 10	Rs. 15	Rs. 20	Rs. 25	Rs. 30	Rs. 35	Rs. 40	Rs. 45	Rs. 50	Rs. 55	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Above Rs. 100	Without assessment.	Total.	
Rs. 50	...	1	3	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	6	Total Khatas 152.
„ 100	1	...	...	...	1	...	...	...	...	...	...	...	1	...	...	...	...	...	3	
„ 150	...	...	1	...	1	...	1	...	1	...	...	...	1	...	...	...	...	...	5	
„ 200	...	...	2	2	1	2	...	1	...	...	1	...	...	...	...	...	...	...	9	
„ 300	2	...	1	2	1	1	...	1	...	...	...	...	...	...	1	...	...	...	9	
„ 400	...	1	1	...	2	1	2	1	...	...	...	...	1	...	...	...	...	...	9	
„ 500	1	...	...	1	...	1	...	...	1	...	2	1	...	1	...	...	...	...	8	
„ 600	...	1	...	2	1	...	1	2	...	...	...	...	...	...	...	...	...	...	7	
„ 700	...	...	...	...	1	1	...	...	1	...	...	...	...	...	...	...	...	...	3	
„ 800	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
„ 900	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	
„ 1,000	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	...	2	
„ 1,100	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	
„ 1,500	...	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	2	
„ 2,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	
„ 3,000 and upwards.	...	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	2	...	4	
Total ...	4	3	8	10	10	6	4	5	4	1	5	1	3	2	1	...	4	...	71	

No. 2.

STATEMENT showing the Number and Limits of the Debts of the Ryots of Pimpalgaon, Taluka Shrigonda.

Rs. 50	3	4	4	2	1	...	...	...	1	...	...	...	...	...	...	...	...	...	15	Total Khatas 70.
„ 100	6	2	2	...	...	...	2	...	...	...	...	...	...	...	...	...	...	...	12	
„ 150	...	3	1	1	1	1	...	...	...	...	...	...	...	...	...	...	...	...	7	
„ 200	1	3	1	2	...	1	...	...	...	...	...	...	...	...	...	...	...	...	8	
„ 300	1	1	2	1	...	...	2	1	1	1	...	...	...	...	...	...	...	..	10	
„ 400	1	2	1	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	6	
„ 500	1	...	2	...	...	...	2	1	...	...	...	...	...	...	...	...	...	...	6	
„ 600	...	...	...	1	4	1	...	1	1	...	...	...	...	...	...	...	...	...	8	
„ 700	1	...	...	...	...	...	1	1	...	...	...	...	...	...	...	...	...	...	3	
„ 800	...	..	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
„ 900	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	...	...	2	
„ 1,000	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
„ 1,100	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	
„ 1,500	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	
„ 1,700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
„ 2,000 and upwards.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	15	15	14	7	7	4	11	4	3	1	...	...	...	...	...	...	...	...	81	

No. 3.

STATEMENT showing the Number and Limits of the Debts of the Ryots of Ghárgaon, Taluka Shrigonda.

Amount of Debt.	Number of the Debtors with reference to the Survey Assessment.																		Remarks.
	Rs. 5	Rs. 10	Rs. 15	Rs. 20	Rs. 25	Rs. 30	Rs. 35	Rs. 40	Rs. 45	Rs. 50	Rs. 55	Rs. 60	Rs. 70	Rs. 80	Rs. 90	Rs. 100	Above Rs. 100.	Without Assessment.	Total.	
Rs. 50		2																	2	Total Khatas 42.
,, 100		1	1			1													3	
,, 150		1				1													2	
,, 200		2	1		1	1													5	
,, 300					2	1			1			1							5	
,, 400								1					1						2	
,, 500			1	3					2		1					1			8	
,, 600	1			1								1							3	
,, 700							1												1	
,, 800	1			1		1													3	
,, 900											1								1	
,, 1,000								1			2								3	
,, 1,100					1														1	
,, 1,500								1	2		1								4	
,, 1,700																				
,, 2,000 and upwards														1					1	
Total	2	6	3	5	4	5	1	3	5		5	2	1	1		1			44	

No. 4.

STATEMENT showing the Number and Limits of the Debts of the Ryots of Luni, Taluka Shrigonda.

	Number of the Debtors with reference to the Government Assessment.																		
Rs. 50	3	3		2	1	1						1							11
,, 100		6	3	2	1				1	1	1				1				16
,, 150					1	1													2
,, 200		1	1		2	2			2	1									9
,, 300		1		1		1													3
,, 400				1			1			1			1						4
,, 500																			
,, 600	1					1													2
,, 700	1							1											2
,, 800																			
,, 900								1											1
,, 1,000																			
,, 1,100																			
,, 1,500																			
,, 1,700																			
,, 2,000 and upwards																			
Total	5	11	4	6	5	6	1	2	3	3	1	1	1		1				50

Total Khatas 97.

APPENDIX J.

Kusba Supa.

Number of Khatadars.	Under old survey.		Under revision.		Decrease.		Increase.	
	Acres.	Assessment.	Acres.	Assessment.	Acres.	Rupees.	Acres.	Rupees.
		Rs.		Rs.				
2	65	21	67	21	...	...	2	...
9	66	35	65	39	1	...	...	4
195	54	11	53	12	1	...	...	1
12	27	10	27	13	...	...	...	3
180	70	25	68	28	2	...	...	3
230	63	17	59	20	4	...	...	3
235	115	33	115	39	...	...	...	6
120	50	20	41	25	9	...	...	5
200	20	10	19	13	1	...	...	3
220	65	20	64	26	1	...	...	6
100	34	12	29	16	5	...	..	4
25	28	13	28	18	...	...	...	5
80	32	13	32	19	...	...	...	6
260	67	29	66	43	1	...	...	14
11	87	38	86	57	1	...	...	19
190	5	2	4	3	1	...	...	1
5	71	26	69	40	2	...	...	14
35	102	46	102	74	...	...	...	28
205	11	3	11	5	...	...	...	2
10	87	30	86	51	1	...	...	21
255	25	5	24	12	1	...	...	7
125	44	21	44	37	...	.	...	16
18	10	5	10	9	...	...	...	4
130	24	12	24	22	...	...	...	10
275	5	3	5	6	...	...	...	3
17	31	7	30	15	1	...	...	8
245	8	1	7	4	1	...	..	3
13	88	19	89	40	...	...	1	21
8	67	40	68	45	...	...	1	5
215	228	51	229	73	...	...	1	22
16	135	48	136	81	...	...	1	33
225	68	34	69	61	...	...	1	27
160	69	26	70	50	...	...	1	24
115	49	32	50	32	...	...	1	...
140	73	29	77	47	...	...	4	18
2	65	21	67	21	...	...	2	...
165	25	19	28	21	...	...	3	2
6	54	29	56	40	...	...	2	11
4	86	41	88	65	...	...	2	24
14	43	15	45	31	...	...	2	16
285	25	9	26	13	...	...	1	4
135	93	44	97	69	...	...	4	25
15	82	37	86	40	...	...	4	3
3	483	150	507	200	...	...	24	50
70	19	7	20	10	...	...	1	3
65	42	11	44	16		...	2	5
170	50	19	54	32	...	...	4	13
45	85	30	95	33	...	...	10	3
60	51	26	60	33	...	...	9	7
50	19	9	21	23	...	...	2	14
250	33	8	37	18	...	...	4	10

6. There is one thing which he thinks might have been touched upon with great advantage in the report, which is the giving facilities to the ryots to borrow money at easy interest from people of a superior stamp to the present money-lenders. Owing to the uncertain character of trade generally at present, and the want of confidence engendered by the fraudulent failure of persons otherwise solvent, there is a good dea of capital locked up all over the country, the owners of whic would be glad to give an outlet to it in legitimate traffic. H thinks if such men were appointed money-lenders within a cert circle in just the same way as a regimental banker or shroff a regiment, the boon to the ryots would be incalculable. T only countenance to be given to these sowkars on the pa Government, would go to the extent of assisting them in recov their instalments as a revenue demand, and thus to avoid ha recourse to the civil suits, which is very expensive as wel unpalatable to such persons. He has adverted to this in quest 13 and 14 of Part III., question 6, Part VI. of his printed me randum.

To induce people, *i.e.*, sowkars of superior stamp to lend money.

7. He would [illegible] to be allowed to observe that the the measure proposed at the close of Se IV. of Chapter V. of the printed draft port is calculated to give relief to a li extent, he thinks the circumstances bro to light by our enquiries require that the fo period of 12 years should be resorted to, w will certainly protect the ryots from pa more than double the amount of the pr they borrowed, or, in other words, it eventually reduces the of interest. While securing the object involved in the me aforesaid, it would, in his humble opinion, be desirable fo Government of India to call for the views of the several Go ments and administrations on the subject, to see how the late cl in the statute of limitation has worked generally—(*vide* P of his printed memorandum.)

Bonds to be written by proposed Public Notaries, the fact of their being so written giving them the extended limitation of six years under the Limitation Act.

1. Mr. Shamboopersad wishes to submit the following remarks for the consideration of Government.

2. In estimating the extent of indebtedness, the figures of 12 villages only have been taken, whereas the Appendix A of his memorandum* comprises information relating to the state of indebtedness of 567 agriculturists in the 15 disturbed talukas of the Poona and Ahmednagar Collectorates; of these only 77 persons are without debts, *i.e.*, more than $\frac{3}{4}$ths of the total number are in debt—(*vide* the statement subjoined to question 3 at page 21 of his memorandum.)

Chapter IV., page ... extent of indebted-...

...ppendix D of this ...

3. He thinks that on the revision of assessment where Government demand is enhanced more than 25 per cent, there also arises another important question for consideration, viz., whether a thirty years' term is not too long, and a shorter period is therefore desirable to ascertain the suitability of the new rates.

Chapter VII., rigid ...enue System, refer-... in para. 125 of ...eport.

4. The provisions of the Bill have the bearing of an Insolvent Act, the enforcing of which among people in the circumstances of our ordinary ryots seems inadvisable, and, if carried out, the consequence will be that the generality of the occupants of small holdings, who are in... debts, will lose their holdings outright, and the discontent ...been appointed to propose a remedy for will thus be per...ted. He would request a reference to question 9, Part IV., ...to question 2, Part VI. of his printed memorandum, and as re... the ascertaining of the extent of the liabilities on a particular ...ng, information might be easily procured from the village ...ntant, if that officer were duly informed of all mortgages and ... by the proposed Public Notaries and Registrars.

Chapter V... ...II., Draft ...r the execu... decrees referred ...para. 131 of this ...

He is of opinion that the limiting the period to six ... be productive of hardship to the money-lenders as well ... to the ryots, for it is not to be expected that the former ...n without harrassing the latter in various ways, when ... that they lose all their rights after the expiration of ...l. He solicits a reference to question 12 of P... ...l. ...ed memorandum.

V

551.483
Cog/Mem

[*From the* QUARTERLY JOURNAL *of the* GEOLOGICAL SOCIETY *for May* 1872.]

MEMORANDA

ON THE MOST

RECENT GEOLOGICAL CHANGES

OF THE

RIVERS AND PLAINS OF NORTHERN INDIA,

FOUNDED ON

ACCURATE SURVEYS

AND THE

ARTESIAN-WELL BORING AT UMBALLA,

TO SHOW THE

PRACTICAL APPLICATION OF MR. LOGIN'S THEORY OF THE ABRADING AND TRANSPORTING POWER OF WATER TO EFFECT SUCH CHANGES.

BY

T. LOGIN, Esq., C.E., F.R.S.E.

In the appendix attached to this paper will be found a detailed report of the progress made in boring at Umballa; and to illustrate it a section has been made from the published maps of the Grand Trigonometrical Survey of India. From the latter a correct idea can be formed of the shape of the plains of Northern India; while the former gives the nature of the soil below the Himalayan range here at Umballa.

The section passes through the centre of the Doab, commencing at the Military Station of Meerut, and running in nearly a direct north line for 44 miles to where it meets the Dehra and Saharunpore road at $8\frac{1}{2}$ miles beyond the latter station. It then passes along this road in a north-easterly direction, rather oblique to the general fall of the country, where it reaches the foot of the Sewaliks, and passes up the bed of a mountain-torrent, along which the road to the hill sanatorium of Mussoorie runs, passing through the town of Dehra.

This section is therefore some 70 miles east of Umballa, which, again, is about 27 miles west of the watershed line separating the drainage of the Indus from that of the Gangetic valley.

Judging from reviews of the Rigvedas, or ancient Hindoo writings, though the total rainfall is probably the same now as it was 2000 years ago (the sun's heat and the area of sea and land being probably the same), yet, from the probably wooded state of the country in former days, and the perennial streams mentioned in these writings, but now dried up, as for example the Sursoottee (the Saraswati of ancient Hindoo literature), I think we may safely conclude that there has been a great change in the rainfall and the climate of the Punjab within the historic period.

In proof of the correctness of these views I may state that, when engaged on the survey for irrigating the Rechna Doab six years ago, I could not help observing the number of deserted villages all over the plain, where now the rainfall is scanty (in some places hardly six inches in the twelve months); while the depth at which water is reached is excessive, as shown by the following section (fig. 1).

With only thorny scrub jungle almost devoid of foliage over these plains, they are very different from what we find all along the Gangetic valley.

From what I then observed, the conclusion I arrived at was, that these plains were at one time thickly peopled, that a great portion of them was formerly cultivated, and that the rainfall over them must have undergone a great change. These views are con-

firmed by the interesting report of the political agent at Babawalpore, which lately appeared in the Supplement of the Punjab Gazette;

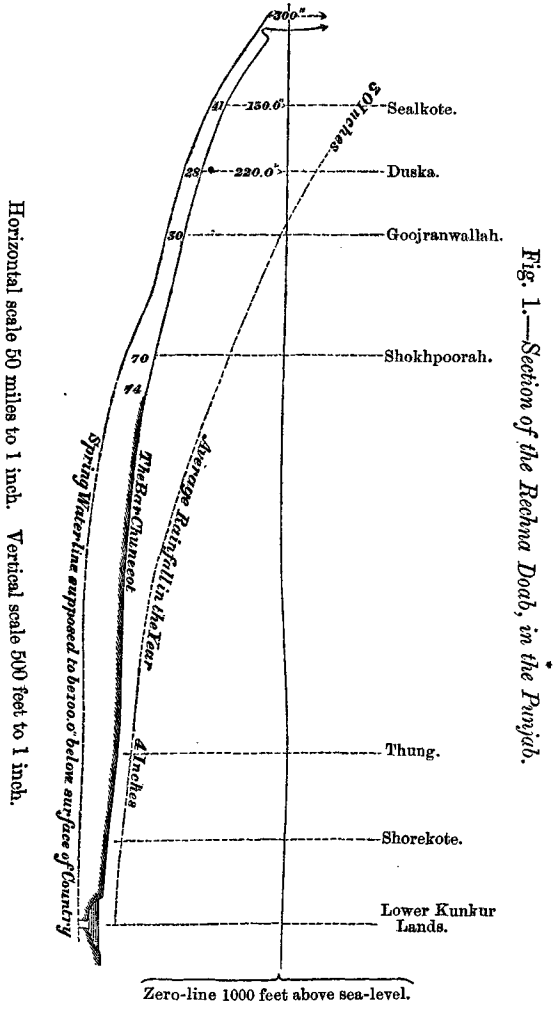


Fig. 1.—*Section of the Rechna Doab, in the Punjab.*

for in this it is shown, by the existence of the channel of a large stream the banks of which were lined with villages, that a large volume of water must in former days have passed down the river. The selection of such sites for villages goes to show that probably the river was navigable, certainly that it had a perennial stream flowing down it, while at the present day, except after an occasional local rainfall, its bed is always dry.

There can be little doubt therefore, I think, that the river was fed by those streams between the Jumna and the Sutlej which are now lost in the desert and are almost dry during the greater portion of the year. So dry is the Sursoottee at present, that during the religious fair at Zanasur a missionary friend on one occasion saw them, after bunding up the bed below the town, fill this portion of the stream by artificial means with water for the pilgrims to bathe in,—a very heterodox proceeding on the part of a Hindoo; for it is flowing water which is supposed to wash away sins. Had the Sursoottee been thus subject to drying up, it is not reasonable to suppose that it would have been the most sacred river of the Hindoos some 2000 years ago.

Reasoning thus, therefore, we can only conclude that there must have been a great change in the climate, and that there has been a general subsidence of the spring-levels in the neighbourhood of Umballa. Another cause can be assigned for this, namely—that at several places in the district there are remains of embankments carried across the beds and valleys of some of the minor or secondary streams. I designate them thus in contradistinction to those which have their sources among the hills, and are subject to excessive floods. The beds of these mountain-torrents are broad, shallow, and sandy, in some instances level with the surrounding country*. During floods therefore these torrents overflow their banks; and as soon as the transporting power of their water is reduced, a deposit takes place, raising the land on either side of the stream. This overflow spreads in a sheet of water over the plain; and the soil, being light, absorbs a great portion of this water, and the springs are raised thereby, while the remainder of the water passes down these secondary streams in a rather deep narrow channel.

It was across such streams, fed by the local rainfall and this overflow, that bunds were thrown up to store up water, the remains of which may be seen in several directions, as the Executive Engineer of the Northern Division of the Jumna Canal informs me. By not keeping up such bunds the spring levels may be reduced, if from no other cause. What, however, appears to me a still greater reason for the deficiency of water at Umballa is the erection of embankments constructed to prevent this overflowing from the neighbouring streams. In consequence of this the plain on which the station is built is deprived of the natural supply of water which it formerly had; and this causes a still further lowering of the spring-levels,

* A striking example of this is in the case of the Puttri, where this torrent crosses the Ganges Canal. See Sir P. Cautley on the effect of floods in this torrent and their deposits, 'Ganges Canal,' vol. i. p. 157.

[Sir P. Cautley, in company with the late Dr. Falconer, made many excellent observations, not only on the geology of the Sewalik Hills, but on the valley of the Ganges, some of which are recorded in the magnificent work on the Ganges Canal, published by the Indian Government, a copy of which is in the Library of the Geological Society. Mr. T. Login was Assistant-Engineer under Sir P. Cautley. Mr. Login does not agree in all respects with the theoretical views of the "flow of water," expressed in a paper sent by A. Tylor to the Institution of Civil Engineers, February, 1872.—A. T.]

which gives rise, I believe, to the very remarkable phenomenon to be seen at Umballa after a heavy fall of rain—namely, a cracking and subsidence of the ground, forming often chasms large enough to bury a horse or, at times, even an elephant, and which may endanger the public buildings.

This subsidence is, I believe, owing to the water being drained off from between the particles of sand. During a shower, water from some of the surface-drains or any hollow finds a passage to this dry stratum below, and, flowing with considerable velocity to fill the open spaces formerly deprived of water, disturbs the sand, carries some of it forward; and thus a chasm is formed into which the superincumbent earth falls, causing the cracks above mentioned*. How this should be met is a difficult question; and various opinions have been given; but this I do not at present mean to discuss.

What I wish to show is why Umballa is year by year, I understand, becoming more and more deficient of water, which led to the boring of the Artesian well.

It is necessary to point out what is going on at present before attempting to go back to anterior periods; but before quitting this part of the subject and passing to theory, it will be better to state a few more facts regarding the effects now being produced by our mountain-torrents †.

It has been already said that the streams are rapid, broad, and shallow, that during floods they are always overflowing their beds, and depositing the heavier or sandy matter near their banks, while the lighter or clayey matter is carried further towards the secondary streams and is gradually deposited over the plain, so that in time, beds of clay of considerable thickness come to be formed. In the mean time, however, the sandy beds and banks are rising at a more rapid rate; and they rise so high above the neighbouring country that any slight obstruction, such as a few bushes or a tree, might turn the whole course of a large stream. The torrent thus deserts its old channel and takes to the neighbouring low ground through which the secondary class of streams before alluded to flowed. Thus there is very soon a deposit of sand over the clay.

With such an arrangement at work it is evident that one may have alternate strata of sand and clay of irregular thickness; for the torrents which formerly passed down the channels A and B (fig. 2) having raised themselves above the general level of the country, suddenly burst their banks and take to the lower ground at A′ and B′, which in course of time get settled in their turn. Thus in the course of ages we have a general raising of the land above the sea.

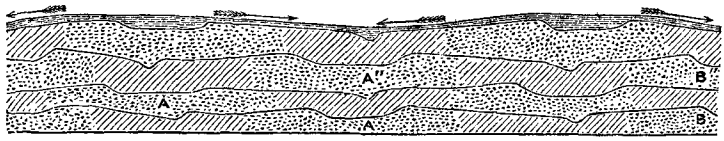
There is still another way in which this irregularity of deposits

* In the June Number of 'Chambers's Journal' I find the following in the "Notes on Science and Art":—"One consequence of drawing away the water is that the land shrinks. In Tynne many of the houses are settling, the bridges are weakened, and the Corn Exchange is sliding from its front. Similar effects of improved drainage have occurred in other parts of the kingdom."

† The celebrated Rennell, in the 'Journal of the Asiatic Society,' gave a drawing of the changes of Indian rivers; and A. Tylor, in the 'Phil. Mag.' for 1853, attributed the movements of the channels to unequal rainfall.

takes place, of which I had a good example the last rains. The Markunda river 12 miles east of Umballa, where it is crossed by the Grand Trunk Road, had its deep channel too near the right

Fig. 2.—*Diagram Section of alluvial deposits.*



bank, which I was desirous of diverting by attaching brushwood to a chain. In the next flood what was in the evening the deepest channel was during the night raised about 3½ feet, the deep channel being forced more towards the centre. When I came to dig into this sand bank, all thrown up in one flood, I found over an area of several hundred yards for the first 6 inches or so a dirty sand, for the next 3 inches a comparatively clean coarse sand, with a sharp line of demarcation above, and immediately below this a fine loamy reddish clay, some 15 inches thick, without any admixture of sand that I could observe, and underneath this again the same dirty fine sand that covered the surface. These intermittences all took place during the same flood of one night; so these different deposits were not the work of years, but of hours*. With such va-

* Where the Markunda is crossed by the Grand Trunk Road, at ¼ of a mile back from the river the ground is 5½ feet below the river-banks on the east side; and a mile further on it is 13 feet below the bank, while on the west or Umballa side, 1¼ mile from the river, the land is 4½ feet below the river.

This difference of fall on the two sides is owing to the line of road crossing the gravel-fall of the country, which is some 3½ feet per mile in a rather oblique direction. The surface velocity with a 5-feet flood passing down was 6 feet a second. With high floods I found that the water held in suspension clay and sand as follows:—

	Clay.	Sand.			
Flood	9·9	=10·75+47·5	=58·25	Per cent. by weight	4·83
,,	7·3	=13·37+19·25	=32·62	,, ,,	2·74
,,	7·6	=13·00+6·75	=19·75	,, ,,	1·65
,,	6·0	=11·87+6·19	=18·06	,, ,,	1·50
,,	5·4	=11·65+5·56	=17·21	,, ,,	1·43
				Mean	2·43

These results were taken by only one set of experiments; so no great dependance can be placed in them; but they show generally that the greater the flood the greater the proportion of sand to the clay, and that the transporting power increases at some quick ratio as the velocity increases. Professor Medlicot, I believe, made the proportion of silt in suspension in the flood-water of the Solani, which has a slope of some 5 feet in the mile, between 3 and 4 per cent.; and I made the Ratmao, which stream has a slope of 8 feet, to carry 5 per cent.; while the Puttri torrent, with a slope of 25 feet a mile, brought down 7 per cent. of silt by weight, though the flood at the time was about 3 feet only.

[Unless the cross section abuts on the slope of the stream it is impossible to calculate the velocity or the transporting force of the water.—A. T.]

riations therefore going on at the present day, it would be hopeless to attempt fixing any lapse of time for any individual deposit; but we must rather take it as a whole. But before going into this branch of the subject, it is proper here to state that at about a dozen miles below the hills, where these torrents have about as many feet of fall in the mile, or more, it is no uncommon thing to see clay boulders rolling down the beds of the streams; and these boulders are often studded with small stones stuck all round them. The floods being not of long duration, have not time to wear down and mix this stiff clay in the water; and the slope being great, and the stream rapid, these lumps of clay cut out of a stiff bank higher up the course, are thus rolled down; and as here shingle often occurs in the bed, the small stones stick to the clay and are carried down the stream. Having, it is hoped, given an idea of what is now going on, it may be as well for me to recapitulate some of the most important points at this stage before going further.

1st. It is probable that the total rainfall now is as it was 2000 years ago, but that it has undergone local changes, being less over the plains and more along the southern face of the Himalayas throughout the Punjab.

2nd. That the effect of this is that the rainfall has become less general both as to time and space; for if the air only parts with its moisture on reaching the hills, the chief rainfall can only be during the S.E. Monsoon. Hence the floods must be more intense than formerly, and consequently bring down proportionally larger quantities of sand than clay. From this we may safely conclude that there must be:—

1st. A lowering of the spring-levels.

2nd. A drying up of perennial streams.

3rd. A larger area covered with sand every year by the floods.

4th. More time to *blow back* the sand thus brought down by the floods over the surface of the country; or, in other words, the desert is encroaching rather than retrograding, from want of moisture.

If asked why is this? I should say that the only reason I can assign is centuries on centuries of bad and unsettled government, when every one cut down trees, but no man planted any. To meet this difficulty, we should by "Tuccavie advances" aid the villagers to store up water as formerly; and belts of trees some 200 yards broad should be planted every 5 miles and run parallel to the hills. The first line would probably begin some 10 miles south of Umballa, passing a little south of Loodiana, Umritsur, and Goojtanwalla, ending on the Jhelum a few miles north of Pind Dadun Khan. It may, and probably would, be many years before any observable change could take place in the climate; but I think there is every reason to suppose that if trees could be thus got to grow, what with the aid of irrigation-canals, and the minor irrigation-works above indicated, the intense heat of summer and cold in winter would be moderated, while the rainfall would become more general.

This general idea of what is now taking place in this part of India will, it is hoped, be found of assistance in explaining in what manner

the plains of Northern India got deposited and attained their present state.

How the enormous mass of débris was formed which is now spread over the plains of India to as yet unknown depth I am not prepared to give a decided opinion; but, judging from what we see before us, I cannot help thinking that most of it must have undergone disintegration more than once. Possibly glacial action has aided in grinding up the older rocks; but such a force would leave this débris in angular masses, not in rounded boulders or as sand and clay. Most probably, however, a "pluvial period" * must have succeeded to wear down this mass into its present state, while this same power of water could carry forward this mass of matter and deposit it as we now find it. The foregoing statements, I hope, will explain how this matter comes to be deposited in alternate strata of sand and clay of irregular thickness, as the boring here at Umballa shows.

The level of the ground where this boring took place is 905 feet above the level of the sea; and as the tubes have been sunk to a depth of 455 feet, the bottom of the tubes is now 450 feet above the sea-level. For a distance of 385 feet, pipes of $9\frac{1}{2}$ inches diameter were sunk; and the remaining 70 feet was got by sinking 7-inch pipes inside them; thus the second set were relieved of side pressure for nearly five sixths of their length. The pressure exerted when the sinking of the first set of tubes was brought to a stand-still was equal to 64 tons, aided by taps from an iron ram; but as it was considered dangerous to apply any greater force, the second set of 7-inch pipes was forced down 70 feet further, when they also were brought to a stand-still by the breaking of the joint of the last pipe; but this was not before a pressure of 80 tons was exerted. The stoppage was owing to the lower pipe getting off the perpendicular; and it is supposed that this was in consequence of its having got among boulders.

The soil passed through, as will be seen by the appendix, has been alternate layers of clay and sand, sand and clay, of various thickness. Water was reached at 27 feet below the surface; and though all throughout the soil was water-bearing, yet in no case did it appear to be under pressure, except in one instance under a bed of kunkur; for not only did it not rise in the tubes, but latterly water had to be almost constantly poured down the tubes to prevent the sand rising in them. Some trials were made to test the supply at different depths; but the quantity was quite inadequate for any purpose; so as yet the result is *nil* as to reaching a good water-supply.

This want of upward pressure clearly goes to show that there cannot be any extended bed of clay as far as is yet reached, but that the deposits have all been in patches; for otherwise there must have been a rising of the water in the tubes, due to the difference of level between the points where the water was tapped and where it entered below the clay stratum on its upper or northern extremity. The deduction to be drawn from this appears to be that these strata

* Q. J. G. S. vol. xxiv. p. 120, 1868: Tylor, "Pluvial Period."

were not deposited in still water, but that they formed the beds and banks of streams. If there were any doubt on this point, I think it is completely set at rest by small stones and rounded clay boulders having been met with at from 250 to 295 feet below the surface. We see the very same in our torrents every day a few miles below the hills, where these streams are rapid; so it is only natural to conclude that these small stones and clay boulders were moved down the beds of rapid torrents in the same manner as they are at the present day.

With such facts it appears to me that, so far as has yet been reached, all the deposits were made by running streams along their course, and that none of these strata ever formed the bottom of lakes or inland seas.

It may also be stated here that possibly Central and Southern India may have been an island, the rocks at Delhi forming its northern extremity, the coast-line taking a south-westerly direction towards Bombay and Scinde, while the north-eastern shore would have followed very much the present course of the Jumna to where it joins the Ganges, and then very nearly the course of the Ganges to Rajmahal, which would have formed the most eastern portion of the island. Be this as it may, one thing appears very certain—that here at Umballa, at a very late date (speaking in a geological sense) the surface of the ground was only half the height above the sea that it is at present; and as far as we can judge from the gradually decreasing slope of the country from the hills to the sea, there has been no marked disturbance (with one exception) throughout the plains of Northern India, either along the valley of the Indus or that of the Ganges, but all the depressions which now exist throughout this large tract are due to denudation within a very late period of the world's history. This gradually decreasing slope is so uniform that, if the question were more fully gone into, I believe it would be found to approximate to a true parabola, as was first demonstrated by Mr. A. Tylor in certain cases*; and if this be true, it opens out an important field for investigation, not only to the geologist, as it would aid in determining dates, but to the hydraulic engineer, as it would throw much light on the vexed question of scour and deposit. Should this law be a correct one, it at once shows how the slope is dependent on the load carried by flowing water, and that we cannot rest contented with our empirical rules, which, for all we know to the contrary, may be quite opposed to the laws of nature.

Another very interesting fact to which I would here beg to draw particular attention is, that at a depth of 250 feet small stones and clay boulders, which indicate great velocities, were deposited on the softer soils underlying them. As these softer soils are abraded by velocities of a foot or even six inches a second, how comes it that these soils were not scoured away by probably ten times these velocities?

The conclusion I have come to for several years back is, that

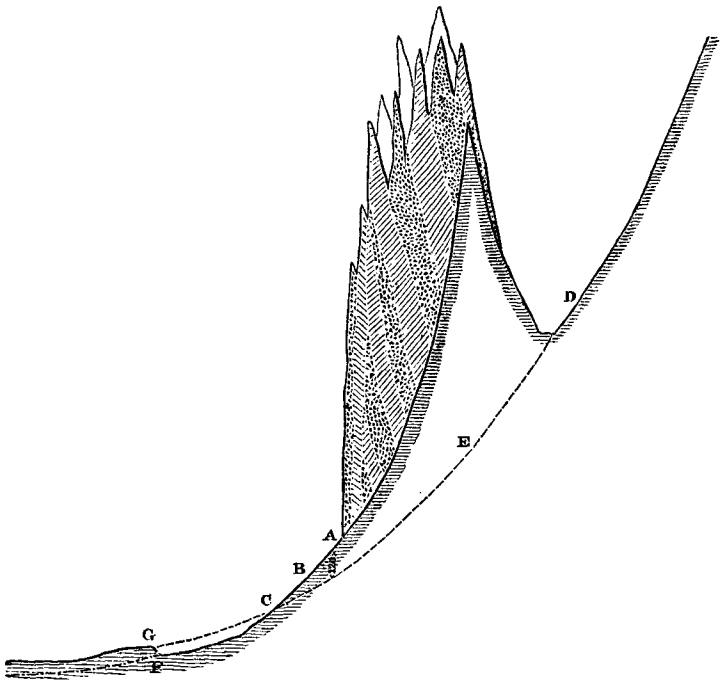
* See Q. J. G. S. vol. xxv. p. 72, 1869.

whenever a river is in train (that is, when the water has got the proper load of solid matter due to its velocity) it loses all power of scour, be the velocity what it may.

This opens out a large subject for investigation of vital importance to hydraulic engineering; but as the object of this paper is to show what is at present going on, the better to enable us to form an idea of what occurred immediately before the present state of things, I will not discuss it. I have now to consider what has been the last great exception to which I have alluded. This is the upheaval of the Sewalik range, and the probable formation of the deep valleys through which our large rivers flow.

The accompanying section (fig. 3) shows by a dotted line, where the Sewaliks are crossed, what was probably the surface of the

Fig. 3.—*Diagram Section through the Sewaliks near Umballa.*



Vertical scale 600 feet to 1 inch. Horizontal scale 12 miles to 1 inch.

country prior to their upheaval. We have a remarkable corrohoration of this curve-theory at Guneshpoor (B), which is a little over a mile south of the hills: a well has lately been sunk, and water was only reached at 120 feet below the surface of the dry or Babur tract; while where the dotted line is above the present surface is

the tract known as the "Turai," where the spring-water rises to the surface. Now, as the upper surface of the high or Bhanghur level of the Doab is clay, if this deposit was at one time continuous, as shown by the dotted lines, it is evident that where the land was not disturbed by the upheaval of the Sewaliks, this bed of clay must exist.

This at once, I think, shows how we may have a small stream of water flowing down the bed of the torrent among the hills, but this water may be absorbed as soon as the line of disturbance is crossed; thus as soon as the water passes the point A it will disappear till it reaches the point C, when it will again appear at the surface; but at B water can be reached only at a considerable depth, which, in the present case, is 120 feet.

Having thus tried to explain how it is probable that the surface of the country did extend in the line C E D, the next subject to consider is how the depression C F G took place. This depression is simply a continuation of the valley of the Ganges, commonly called the "Khader," in contradistinction to "Bhanghur" or high-level plains of the Doab.

In a paper of mine read in 1869 before the British Association, to be found published in full in the Proceedings for that year, I have stated my views on this subject in connexion with roads and railways for Upper India; so, as this paper is rather voluminous, it is hardly necessary for me to dwell at great length on this branch of the subject.

Before this last convulsion of nature took place, it is probable that all the streams were broad and shallow rather than deep, and that they had much the same characteristics as those torrents we now find near the hills—that they were liable to, or perhaps always were in flood, bearing down large volumes of dirty water and depositing their surplus loads on either bank.

The reason why I am inclined to think these rivers were more or less in constant flood is, that, so far as the boring at Umballa has gone, there has been no indication of vegetable or animal life, but only of flowing water. It would however be presumptuous to say that neither animal nor vegetable life existed at this supposed pluvial period from one single boring, or even from several trials; but I only say that this is quite possible if it was a period of heavy rainfall, which most probably it was. Under such circumstances, with large volumes poured down the country from all along the southern face of the Himalayas, this filling-up process would rather lag behind in this neighbourhood, while the streams nearer Bengal would, relatively speaking, be nearer the sea; consequently, when a change did come, it would be found that there would be a long estuary or gulf extending far up above Rajmahal. At this time the general velocity would probably be reduced, and light soils chiefly carried down to form the surface, though this is not positively necessary; for boulders are often brought down along with clay held in suspension in the water; but be this as it may, we do find that the greater portion of the surface of the plains consists of lighter soils; and it

is upon this that the fertility of the country depends. Sand we do find on the surface; but this I attribute more to wind and want of moisture than to aqueous action. Having thus got the surface in a prepared state for man to inhabit and cultivate the soil, the upheaval took place, raising a barrier to the numerous streams which then flowed over the plains, and only leaving openings or weak points at intervals, as at Hurdwar on the Ganges*, Tyzabad on the Jumna, Rooper on the Sutledj, and so with the Punjab rivers.

With the distance to the sea much shorter than at present, and the volume of water probably much greater, this water, with only a few channels to escape through at these gaps in the hills, must have rushed down with great violence, cutting and tearing before it deep channels through the plains, such as we now find the valleys of our great rivers, which are known by the name of Khader, in contradistinction to Bhangur, or high-level plains. With channels thus scooped out there must have been a cutting back; and the course of such minor streams as fall into the main rivers would be acted on similarly. Thus we find that this cutting back on the valleys of the Solani to near the foot of the hills must have been very great; for there the valley is even now 20 feet below the Bhangur, or high-level plain, and was probably much lower, while in width it could not have been less than two miles. When such was the state of things the velocity of the water must have been sufficient to carry large boulders from the foot of the hills to a considerable distance down the main rivers; and to me this explains why such boulders were found at a depth of 40 feet in the valley of the Jumna, when sinking the foundations of the Jumna railway bridge. If it is owing to this that in the Jumna valley at this point, which is quite as far from the hills as Umballa, large boulders were found at 835 feet above the sea, while as low down as 450 feet above the sea, at Umballa, only small stones were met with (the largest only measuring $5 \times 2\frac{1}{2}$ in.), what clearer proof than this is necessary that the beds of our large rivers are now being silted up rather than lowered?

This is a most important and satisfactory conclusion to the engineer; for here we have a deposit of some 40 feet of sand; and as the Delta † is rising also, every point between must be undergoing the same process, though perhaps not observable in one or even in several generations. To attempt to assign any specified time for such changes as we have been discussing, even for this last of all geological periods, would be in vain; but it probably required thousands of years to fill up the beds of these rivers after they were

* The opening through which the Ganges flows at Hurdwar is called "Beemgodah." Beem is a demigod of the Hindoos, who is said by them to have planted his foot at Hurdwar, and thus made a passage through the Sewaliks for the Ganges.

† [The Delta only rises in proportion as the mouths extend out to sea. If they did not extend and lengthen, the level of the Delta would fall as the mean level of the continent, being constantly diminished by the annual denudation due to the action of rain and rivers.—A. T.]

scooped out*. So also it would be premature to attempt to fix any date for the upheaval of the Sewaliks, and much more so to say when Delhi formed the most northern point of a large island, if ever the sea did reach north of where Delhi now is.

In fact this may be questioned, owing to the similarity of the soil and boulders brought up for the last 15 feet or so of the boring to that of the boulders and clay just below Kalka, where the Umballa and Kalka road crosses the line of the Sewaliks, which are very low at this point; and it was in the Sewalik range that Falconer and Cautley made their discoveries. If the strata immediately below the point now reached at Umballa are identical with the upper strata of the Sewaliks, fossil remains may be found; but up to the present time there have been no signs of animal or vegetable life†.

Should the strata be the same, we have now reached, at 450 feet above the sea at Umballa, strata which at 30 miles north of it are over 2000 feet above the sea; and if this curvilinear theory is correct, they were here deposited at a depth of about 1000 feet below their present level.

This will give a fall of over 15 feet a mile, or quite enough to roll along (in a moderately deep torrent) small boulders such as those met with near Umballa at 450 feet below the surface. If therefore large animals lived when the plains at Umballa were only half their present height above the sea, this might lead one to suppose that the sea did not reach as far north as Delhi, and possibly never did during the period now treated of.

This, however, is not the object of the paper to prove; but what it is wished to show is, that the plains of India were formed by mountain-streams in a similar manner to what we see at the present day—that though the deposits are irregular transversely, yet longitudinally the section is uniform, probably forming a regular curve. This curve Mr. Tylor proves to approximate to a true parabola in certain cases; and what I have observed of the torrents out here in India, and a few small experiments I have made, all go to support this view. To the geologist this would be a very interesting point to determine; but to the Hydraulic Engineer it is most important, as it would at once show that there is some relation between the load of solid matter flowing water can hold in suspension and the slope of the ground the water flows over—as, for example, that we cannot suddenly change the slope of an artificial river or canal without also modifying the load of solid matter to be carried. The second point of importance is the fact that the boring shows that we have heavy matter deposited over lighter matter, sand over soft clay, small stones over sand. This is also shown by the deposits in the Markunda (p. 190), where these were:—first, dirty fine sand; next, soft clay, and over this

* My estimate of the rise of the head of the delta of the Irrawaddy was 1 inch in 30 years. See 'Proceedings of the Royal Society of Edinburgh' for March 1857.

† Only on one occasion, at about 440 feet below the surface, were a few pumpfulls of a blackish putrid water brought up, giving off very much the same odour as the dirty bilge-water of a ship.

cleaner coarser sand, and last of all dirty fine sand again,—all deposited in the course of a few hours, and this in a river having a velocity of 6 feet a second and more. This to my mind proves that flowing water, once it has got its proper load, cannot cut the bed below. Therefore, to carry a constant load, there requires to be a constant velocity where the depth is uniform. The third and last is to show that the beds of our large rivers are rising rather than being lowered, however slow this process may be. This, to the engineer, is a most satisfactory conclusion to arrive at; for he knows he has only to guard against local scour and not a general depression of the beds of rivers passing through alluvial plains.

TABLE of Soil met with in boring the Artesian Well at Umballa.

Total depth.	Clay.	Sand.	Mixed.	Remarks.
4	4			
6	...	2	...	Firm sand.
9	3	...	...	Clayey soil.
11½	...	2½	...	Fine sand.
26½	15	...	...	Two beds; upper 3½ feet very stiff.
27	...	...	½	Stiff brown clay mixed with kunkur.
41	...	14	...	Fine sand; water-bearing at 32 feet.
50	9	...	...	Three beds; lower, 5½ feet, brown clay, and above this 2 feet of blue clay.
53½	...	3½		
56½	3			
67	...	10½		
69	2			
80	...	11		
85	5			
86½	...	1½		
122	35½	...	...	Very stiff brown clay.
124	...	...	2	Kunkur formation.
128	...	4		
137	...	...	9	Mixture of sand and clay.
139	...	2		
144	...	...	5	Mixture of sand and clay.
148	...	4		
150½	...	...	2½	Kunkur-bearing stratum.
154	...	3½		
166	12	...	...	Dark red clay.
174	...	8	...	Two beds, with 1 inch of shaly formation.
180	6			
181½	...	...	1½	Kunkur-bearing stratum; on getting through this, the water rose suddenly 40 feet, and in two hours to 70 feet.
183	...	1½		
184½	...	...	1½	Kunkur-bearing stratum.
196	...	11½	...	Two beds; lower, 6 feet, coarse sand. Pressure exerted on tubes 20 tons; temperature of water 78°.
196½	½			
199	...	2½		
202½	...	...	3½	Clay with kunkur.
211	...	8½		
212	...	...	1	Dark red clay with kunkur.
213	1			
214½	...	...	1½	Sand and clay with kunkur.
220½	...	...	6	Clay with kunkur, with black spots.

TABLE (*continued*).

Total depth.	Clay.	Sand.	Mixed.	Remarks.
223	2½	...	...	Clay with small particles of green sand. Pressure 20 tons.
234	...	11	...	Pressure 12 tons.
240	...	6	...	Coarse grey sand with 2 inches of stiff brown clay (probably a clay boulder).
240½	...	...	½	Brown clay with kunkur.
250	...	...	9½	Brown clayey sand.
266	16	...	...	Two beds; red clay mixed with kunkur.
266½	...	½	...	Fine soft sand.
276	9½	...	...	Two beds; lowest foot, stiff brown clay with grey spots.
278½	...	2½		
279	...	...	½	Coarse grey sand with kunkur.
286	...	7		
296	...	...	10	Two beds; coarse sand with clay boulders and small stones.
297	1			
299	...	...	2	Sand and clay.
302	...	3		
309	...	...	7	Clay with kunkur.
319	10	...	...	Sandy clay with mica.
325	6	...	...	Stiff brown clay.
327	2	...	...	Sandy clay (hard).
330	...	3	...	Soft dark brown sand.
335	...	...	5	Stiff brown clay with kunkur.
336	...	1	...	Dark grey sand.
338	2	...	...	Sandy clay.
349	...	11	...	Dark green sand.
362	...	13	...	Dark grey sand with kunkur.
363	1	...	...	Stiff red clay.
365	2	...	...	Yellow clay and sand.
376	...	11	...	Dark grey sand.
380	4	...	...	Dark clay.
381	...	1	...	Hard, dark-coloured.
387¾	6¾	...	...	Two beds; lower, 1¼ foot, dark red. Pressure exerted 64 tons, aided by hammering; 9¾-inch pipe injured and 7½-inch pipes substituted.
394	6½	...	...	Red clay.
396	...	2	...	Dark grey sand.
399	...	...	3	Yellow coarse sand with scour.
403	...	...	4	Dark grey sand with large stones.
416	...	...	13	Very coarse gravel with boulders.
417	...	...	1	Very coarse grey sand with large stones.
420	3	...	...	Red clay.
424	...	...	4	Very coarse grey sand with stiff red clay and black kunkur.
431	7	...	...	Stiff red clay.
432	...	1	...	Dark running sand.
446	14	...	...	Red clay, very sandy.
448	...	2	...	Dark running sand.
449	1	...	...	Very stiff red clay.
451	2	...	...	Dark red loamy clay.
455	...	...	4	Dark running sand with clay boulders and kunkur.

TABLE (*continued*).

Summary.

	A	B
Total depth of Clay	192 feet in	36 beds.
„ „ Sand	165½ „ „	33 „
„ „ Sand and Clay	25½ „ „	4 „
„ „ Kunkur-bearing beds	37 „ „	14 „
„ „ Boulder-bearing beds	35 „ „	7 „
Total	455 feet in	94 beds.

The boring was resumed on the 12th May 1871, and carried down to a depth of 701 feet or to a point 204 feet above the level of the sea, yet to this great depth there has been no apparent change in the stratification as shown in the columns A′ and B′, as compared with those under A and B.

	A′	B′
Total depth of Clay	284 feet in	47 beds.
„ „ Sand	186½ „	39 „
„ „ Sand and Clay	54½ „	12 „
„ „ Kunkur-bearing beds	93 „	22 „
„ „ Boulder-bearing beds	83 „	16 „
Total	701 feet in	136 beds.

It may be observed that the average thickness of the first 36 clay beds was 5⅓ feet, while the last 11 beds of clay averaged 8½ feet nearly. These latter results, however, do not appear to call for further remarks, or any qualifications of what has been already said, but rather go to confirm my views.

T. LOGIN,

Offg. Supdg. Engineer, 2nd Circle.

Umballa, 22nd July 1872.

R Temple Esq. CB 3
Wk Rural regards

THE

RESOLUTIONS, REGULATIONS, DESPATCHES, AND LAWS

RELATING TO THE

SALE OF WASTE LANDS,

AND THE

IMMIGRATION OF LABOR IN INDIA.

COMPILED BY

W. NASSAU LEES.

(CORRECTED UP TO 1ST JULY 1864.)

Calcutta:
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THE

RESO LUTIONS, REGULATIONS, DESPATCHES, AND LAWS

RELATING TO THE

SALE OF WASTE LANDS,

AND THE

IMMIGRATION OF LABOR IN INDIA.

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THE SALE OF WASTE LANDS

AND

THE REDEMPTION OF THE LAND REVENUE.

Resolution by His Excellency the Right Honorable the Governor General of India in Council, in the Home Department, under date the 16th Oct. 1861.

His Excellency the Governor General in Council has had under his consideration the subject of the Despatches from the Right Hon'ble the Secretary of State noted in the margin, with the opinions of the several Local Governments, and of most of their principal Officers, on two important subjects:—

No. 13, of 1st December 1858.
„ 1, of 16th March 1859.

I. The sale of waste lands in perpetuity, discharge from all prospective demand on account of land revenue; and

II. Permission to redeem the existing land revenue by the immediate payment of one sum equal in value to the revenue redeemed.

2. His Excellency in Council finds that the ablest and most experienced public Officers very generally concur with private parties interested in land in the expectation that substantial advantages will follow the adoption of both these measures.

3. There is, however, much diversity of opinion as to the extent to which either measure is likely to operate, and as to the rules under which the acquisition of waste land in perpetuity, and the redemption of the land revenue should be allowed. Some experience may be required to test fully the comparative soundness of the several opinions on these points; but His Excellency in Council sees no reason to doubt that, so far as either measure may take effect, it will be in every way beneficial.

4. As regard the sale of waste lands, there can be no question of the substantial benefits, both to India and to England, which must follow the establishment of settlers who will introduce profitable and judicious cultivation into Districts hitherto unreclaimed. His Excellency in Council looks for the best results to the people of India, wherever in such Districts European settlers may find a climate in which they can live and occupy themselves without detriment to their health, and whence they may direct such improvements as European capital, skill, and enterprize can effect in the agriculture, communications, and commerce of the surrounding

country. He confidently expects that harmony of interests between permanent European settlers and the half-civilized tribes, by whom most of these waste Districts, or the country adjoining them, are thinly peopled, will conduce to the material and moral improvement of large classes of the Queen's Indian subjects, which, for any such purposes, have long been felt by the Government to be almost out of the reach of its ordinary agencies.

5. His Excellency in Council has still less doubt as to the beneficial results of permitting a redemption of the land revenue. He believes that increased security of fixed property, and comparative freedom from the interference of the fiscal Officers of the Government, will tend to create a class which, although composed of various races and creeds, will be peculiarly bound to the British rule; whilst, under proper regulations, the measure will conduce materially to the improvement of the general resources of the Empire.

6. But it is the firm conviction of the Governor General in Council that, in order to obtain permanently good results from such measures, it is indispensable not only that no violence be done to the long existing rights which, sometimes in a rude, sometimes in a complicated form, are possessed by many of the humblest occupants of the soil in India, but that these rights be nowhere slighted or even overlooked. Scrupulous respect for them is one of the most solemn duties of the Government of India, as well as its soundest policy, whatever may be the mode in which that Government may think fit to deal with rights of its own.

7. With these views His Excellency in Council proceeds to state the rules under which he desires that the Governments and Administrations of India should give effect to these two measures.

8. I.—As to the sale of unassessed waste lands in which no right of proprietorship or of exclusive occupancy are known to exist at present, or to have existed in former times, and to be capable of revival.

9. In any case of application for such lands they shall be granted in perpetuity, under the rules which will be presently laid down, as a heritable and transferable property, subject to no enhancement of land revenue assessment.

10. All prospective land revenue will be redeemable, at the grantee's option, by a payment in full when the grant is made, and the land granted will thenceforward be permanently free of all demand on account of land revenue.

Or, at the grantee's option, a fixed annual sum may be paid at the rate of ten per cent. on any unpaid portion of the price of the grant, which will then be under hypothecation till the price is paid in full.

11. The deed of grant shall be drawn up in English with a Vernacular translation attached, the meaning in all doubtful cases being settled by the English text.

12. Except under peculiar circumstances which may require special reservation, the deed shall convey all rights of forest, pasturage, mines, fisheries, and all other property of the Government in the soil; but it will reserve to the Government, to proprietors of other lands, and to the public, all existing and customary rights of freely using any stream for purposes of navigation or irrigation, and for the transport of timber or other property, and for other purposes of general utility.

13. There shall be no reservation to the Government of any right to take land or material for roads, tanks, canals, works of irrigation or other public improvements other than may be marked out or designated at the time of the grant, or otherwise specifically excepted in the grant. But the absence of such reservation will not affect the power of the Government to purchase land under Act VI. of 1857, or under any other general law for the acquisition of land, &c., required for public purposes.

14. There shall be no condition obliging the grantee to cultivate or clear any specific portion of the grant within any specific time.

Conditions of this kind are considered by many experienced Officers as useful, if not necessary, provisions: but the Governor General in Council is convinced that every reasonable object of such restrictions,—such as the guarding against attempts to monopolize advantage of situation with a view to a re-sale rather than to immediate use,—will be sufficiently secured by a limitation of the area of grants, and by the necessity for immediate payments, and that the latter kinds of security will be the more advantageous to purchasers.

15. And if the area be limited His Excellency in Council does not attach importance to any provision for clearing and cultivating any specified proportion of it. The price to be paid will generally serve as a security that the grantee will clear as much as he can, unless he finds it more profitable to keep land as forest or pasturage; and there is no ground of public policy upon which to require him to do more. It is rarely that the clearance of trees, beyond what is needed for cultivation, is an object of public importance. In many parts of the country the contrary is the case. And as a general rule, and whatever may be the nature of the growth which covers the soil, His Excellency in Council would wish, in this as in other matters, to leave it entirely to the owner's judgment and self-interest to make the best of a grant for which he has once for all paid a fair price to Government.

16. The land registers of the Collector of Land Revenue, or of any other local officer exercising Collector's powers, when properly kept and perfect, will often enable him to state at once whether there is any other prior claim of property or occupancy on the land applied for.

17. When there is no such claim apparent from the Government records, and the Collector knows no other objection to the

grant, he will advertize the application in the most customary and effectual manner for a term which probably need rarely exceed thirty days.

18. When, after the expiration of the term fixed, no such claim is preferred, or when, if preferred, it shall have been disposed of, the Collector will give to the applicant a document testifying that the land, as described in his application, has been allotted to him, subject to the terms hereinafter specified.

19. If, after the allotment of the land under the preceding rule, any persons shall establish a right of property in the land so allotted, the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed. But provided the claim be made within one year from the allotment, the claimant, on proof of his right, and on shewing good reason why his claim was not advanced before the allotment took place, shall be entitled to receive from the Government full compensation for the actual value of his interest in such land. After the expiration of a year all rights of third persons which have not been already claimed will be altogether barred, as well in regard to compensation as against the land, subject, in regard to compensation, to the same exceptions in case of persons under disability from infancy, lunacy, or other like causes as are admitted by the existing law of limitation.

20. No reference to Revenue Boards or other distant Authorities should be necessary, except in special cases of doubt. Rules of procedure must be laid down by the Local Governments with sufficient clearness of detail to obviate, in all ordinary cases, any necessity for reference or sanction.

Grants will, of course, be immediately reported to the Local Government, and any departure from the rules of procedure should be promptly noticed by the Board of Revenue or other controlling Authority. But no confirmation should be required to complete grants made in accordance with the published rules of procedure; and such grants should not be liable to be disturbed on account of any informality not attributable to any act or default of the grantee.

21. A maximum limit must be fixed to the size of all grants. Probably three thousand acres would be a suitable limit in Eastern Bengal, Cachar, Assam, and similar Districts. In localities where land is more valuable and in great demand,—as for instance, in the neighbourhood of Towns, Hill Stations, and Sanataria,—a lower limit may be fixed. It will generally be safe to consult the wishes of intended applicants on this subject, when they are in numbers sufficient to give weight to their opinions as to what general limitation is likely to be best for the general interests; but regarding such consultation each Local Government will exercise its own discretion.

22. In Districts like Sylhet, Cachar and Assam, where a considerable portion of the ground is swamp or unculturable land, a due

proportion may be deducted as valueless. Probably this need never exceed one-fourth of the whole area.

23. Wherever it is necessary for the public interests to reserve for future disposal any special tracts of land of which no immediate grant will be made, due notice should be given, so that applicants for land may not lose their time in examining such tracts.

24. It is to be understood that reserves of grazing land, or of land for the growth of forest trees, or of firewood near Towns and Stations, or for other special purposes, such as sites for Sanataria, building lots, &c., &c., are not to be sold without the special sanction of Government.

25. When the land applied for is unsurveyed, immediate possession may be given on payment of the Collector's estimate of the cost of survey; and this may generally be calculated at a fixed rate according to estimated acreage. But no time must be lost in having a survey made, and for this purpose one or more competent Surveyors should be attached to every unsurveyed District where such applications are likely to be frequent. The survey need not embrace more details, nor be made with greater accuracy than is necessary clearly to define rights, and to ensure the ready identification of boundaries.

26. In surveyed Districts a tracing from the official plans and extracts from the field books and other registers will generally suffice.

27. Ten per cent. of the purchase money, and the actual cost of survey (allowing, of course, for the sum previously deposited upon the Collector's estimate of the survey) will be paid by the grantee on delivery of the deeds and plan, and the name of the grantee will be provisionally entered in the Collector's records as proprietor of that grant.

28. If the balance of the purchase money be not paid within three months, interest at ten per cent. per annum will, as has been already prescribed in paragraph 10, be charged on the unpaid balance; and the land will be held liable to re-sale in default of the regular payment of such interest should there be no crop or other moveable property on the land from which the claim of Government can be satisfied.

29. The price to be paid for unassessed land should not exceed Rupees 2½ per acre for uncleared land, or Rupees 5 per acre for land unencumbered with jungle, subject to deduction of area for swamps or unculturable land, as above stated. This limitation of rates shall remain in force for five years from the 1st of January 1862, subject to revision in the case of land which may be sold after that period.

30. In the event of more purchasers than one offering to buy the same tract, neither having any previous right to the land, it may be put up to auction at the upset price of an ordinary grant. But except in such cases, or in the case of Suburban lots, recourse

will not be had to sale by auction; the applicant will receive his land at a price fixed.

31. Provision will be made for a further grant to the same grantee to the following extent:—As soon as the grantee's name shall have been provisionally entered in the Collector's records as proprietor of a grant (as prescribed in paragraph 27), any one adjoining plot, not exceeding the previous grant in area, if not previously applied for, and if available for disposal by Government, may, at the grantee's request, be surveyed at his expense, marked off, and reserved as a future grant to him: but subject to the obligations that within five years from the date of his previous grant he shall fulfil the conditions necessary to his being recorded as proprietor of this further grant, and that two-thirds of the previous grant shall within the same time have been brought under cultivation. If he should fail in either obligation the reservation of the plot will cease.

32. There need be no limit to the number of further grants which may be successively taken up on fulfilment of these obligations.

33. Holders of grants under any existing rules, who have not yet completed the purchase of their grants, will be allowed to commute them under the new rules, but without being subject to the limitation of the new rules as to area. The area which, in such cases, the grantee will be at liberty to purchase absolutely, will be determined by the provisions of the original grant; and he will be free to purchase absolutely as much or as little of that area as may suit him, retaining, if he pleases, the remainder upon the terms of the original grant.

34. Where there are exclusive rights of occupancy, pasturage, wood-cutting, turf-cutting, or other like rights in unassessed waste land, such waste land may be sold under the above rules, but only to those who shall satisfy the Collector that they possess such rights by prescription, or have obtained them by purchase. It will be an important part of the Collector's duty to make certain that any transfer of such rights shall have been made with a complete and fair understanding on the part of all concerned.

35. In a Ryotwarry District lands, for which an assessment has been fixed, but which have been uncultivated for five years or upwards, and which are at the absolute disposal of the Government, may be sold under the same conditions as unassessed waste lands, excepting that the price shall be twenty year's purchase of the assessment.

36. The right of purchase on these terms should, in the first instance, be tendered to the inhabitants of the village within whose bounds the land may be situated, or who may have been in the habit of using it.

37. The tenure of all waste lands granted under this Resolution will be that of an heritable and transferable property held in

perpetuity free from all claims either of the Government or of third persons prior to, or inconsistent with the grant.

II.—As to the redemption of the Land Revenue.

38. Great caution is necessary in dealing with what has always formed so large a part of the revenues of the Government of India. The Governor General in Council proposes, therefore, in the first instance, to limit the permission of redemption in any one District to such a number of estates as shall, in their aggregate assessment, not exceed 10 per cent. of the total land tax of the Collectorate, or corresponding fiscal division of the country.

39. This restriction will enable Government to ascertain in each Province, without undue risk to its permanent fiscal resources, the practical effect of permitting the redemption, both in completely populated and well cultivated Districts, and in those where there is much uncultivated land and a thin population. It will afford an opportunity of hereafter re-considering the effects of the measure with the light of ample experience; while the limit which it prescribes is large enough to allow of a considerable number of those who may be able and desirous of redeeming the land revenue of their Estates to do so partially or wholly.

40. In any case when redemption shall have reached the limit of ten per cent. or the total land revenue of the Collectorate, the result is to be reported to the Governor General in Council, with a view, if expedient, to the enlargement of the limit in that Collectorate, and to the permission of further redemption.

41. The price to be paid is fixed at twenty years' purchase of the existing assessment.

42. Doubts are expressed by experienced Officers whether many purchasers will come forward at such a rate, so long as the current rates of interest for money lent on security, or employed in trade, continue as high as at present. But justice to the public creditor, and a due care for the resources of the Government, require that, as long as the public revenue is no more than sufficient to meet the current charges of the Empire, and the interest of its debt, no lower terms of redemption of a permanent tax forming the security for that debt should be accepted than will, when the price is invested in the public securities, afford a corresponding relief in the payment of interest.

43. The tenure obtained will, as in the case of waste lands, be that of an heritable and transferable property held in perpetuity free of all demand on account of land revenue, or of the Government. But such tenure will not carry with it, as that of waste lands will, immunity from any legal claims, other than those of Government to which the lands may be subject, and which may date prior to the grant under this Resolution.

44. Also the same steps will be taken to define the exact extent and limits of the property by means of plans and survey records.

45. In Districts in which the land revenue is permanently settled permission to redeem will be confined to the person who has the right to pay the Government land revenue, rent, assessment, or jumma; and its effect will be strictly limited to such Government claims, reserving all existing sub-tenures or subordinate rights of occupancy.

46. In Districts in which the land revenue is not permanently settled, the party who has the right to pay the Government land revenue, rent, or jumma will be permitted to redeem it only when he also possesses the right of occupancy of the land.

47. The freedom of tenure conferred by redemption of land revenue will be absolute only as against the Government. It will be given on *primâ facie* evidence of the rights abovementioned, and other parties contesting those rights and claiming the land will be as free as before to sue the holder in the Civil Courts.

48. The assessment on which the purchase money will be calculated will, in permanently settled Districts, be the permanent assessment.

In temporarily settled Districts it will be the assessment of the last settlement.

49. It has been apprehended that the Government will suffer loss by such a rule where a temporary assessment has been fixed so low as to render it certain that a considerable enhancement may be expected at the next settlement.

In such cases the enhancement of the direct revenue from the land will of course be foregone, but in many parts of the country where this would happen, there exist, in a peculiar degree, that amount of general intelligence and of confidence in the measures of the Government, and that sufficiency of capital, which would encourage landholders to redeem their land; and where this is the case His Excellency in Council considers it a wise *policy that those who may come forward to redeem should not be shut out from the full advantage of the measure by reason of their actual assessment being low.*

The price fixed precludes any sacrifice of immediate revenue; and His Excellency in Council is convinced that even a few Estates on which the land revenue has been redeemed, scattered through the country, would have, in many indirect ways, a beneficial effect on the unredeemed land revenue itself, as well as on other sources of Government income.

50. Grants which have already been given for a term of years at progressively increasing rents, such as those in the Sunderbuns, will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue at the highest rate fixed for any year during the currency of the grant,—provided it shall not exceed the rate fixed in paragraph 29 of this Resolution,—and if there is no right of occupancy other than that of the lessee, or that derived from him.

51. Where no right of proprietorship or of occupancy exists in any party, and the land is simply held from year to year or by tenants at will, the actual tenant should be allowed to redeem, unless there be competition, when the redemption should take place by auction.

52. Where Estates are assessed in shares (such as co-parcenary Estates held on Byachara, Pattadaree, Nirwa, or Baghdar tenures) it will be necessary to define that nothing more is sold than the right of the Government to levy an assessment, and that this is sold only to those who are under liability to pay that assessment: Moreover, that the purchasers will remain subject to all other customary liabilities, whether to individuals or to communities.

These conditions are indispensable to insuring that no other sharers' rights shall be injuriously affected.

53. Such tenures will require peculiar care in dealing with them; but, provided that suitable and sufficient precautions be taken, there is no reason why those who hold them should be excluded from the benefits of the measure.

54. As in the cases of sale of waste lands, so in those of redemption of land revenue, no conditions will be imposed as to the expenditure of a given amount of capital, the growth of particular staples, or the like. The party redeeming the land revenue will be left entirely free to follow the course which he may deem most profitable to himself.

55. Provisions will be made in any legal enactment which may be passed to give effect to this Resolution, that the party named in the grant, whether of waste land, or of land on which the assessment has been redeemed, or his legal heir or representative, shall be regarded as the sole legal owner of the land, subject only in the latter case to claims other than those of Government, and to subtenures and subordinate rights of occupancy existing at the time of redemption, and that no transfer of property in it shall be recognised by our Courts of fiscal Officers unless duly registered.

56. With a view to secure the Government and the public creditor against any loss of existing sources of Government income, provision will be made by Law that all sums paid in purchase of waste lands, or in redemption of land revenue, or in otherwise forestalling the land revenue, shall be paid to Commissioners, and periodically invested in such manner as the Law may direct. The Commissioners will report annually to Government the total amount they have received and invested and the Districts from which it has been received, and their Reports will be published.

57. The Local Governments will be called on to prepare the draft of a Law to give legal effect to these measures within their several jurisdictions, so as to secure for all grantees a legislative title to their property.

But it is not necessary to await the enactment of such a Law before making known, and as far as practicable acting upon the the rules which have been here laid down.

By Order of His Excellency the Governor General in Council,

W. GREY,

Secy. to the Govt. of India.

Notification, Home Department, Fort William, 15th August.—The following Despatch from the Secretary of State, on the subject of the Resolution of the Governor General in Council, dated the 17th October 1861, regarding the sale of waste lands and the redemption of the Land Revenue, together with the Circular instructions this day issued to the Governments of Bengal, the North-Western Provinces, and the Punjab, are published for general information :—

INDIA OFFICE,

London, 9th July 1862.

Revenue, No. 14.

TO HIS EXCELLENCY THE RIGHT HON'BLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

MY LORD,—Para 1. The letter from your Excellency's predecessor in Council, dated 21st October last (No. 18), with which was forwarded a Resolution* which " had been made public regarding the sale of waste lands in fee simple, and the redemption of existing land revenue" has been under my consideration in Council.

* Dated 17th October 1861.

2. Her Majesty's Government have considered with the greatest care and deliberation the important questions which form the subject of that Resolution, and the still more important question which is necessarily raised by the consideration of them, namely, that of a permanent settlement of the land revenue of India; and I now proceed to communicate to you the conclusions at which they have arrived.

3. The first Section of the Resolution (paragraphs 8 to 37) relates to the grant or sale of waste lands not under assessment.

4. I have perused with the greatest satisfaction the observations contained in paragraph 6 of the Resolution, in which the Government state it to be their " firm conviction that, in order to obtain permanently good results from these measures, it is indispensable, not only that no violence be done to the long existing rights which sometimes in a rude, sometimes in a complicated form, are

possessed by many of the humblest occupants of the soil in India, but that these rights be nowhere slighted or even overlooked. Scrupulous respect for them is one of the most solemn duties of the Government of India, as well as its soundest policy, whatever may be the mode in which that Government may think fit to deal with rights of its own." Her Majesty's Government cordially participate in these sentiments, and I trust that you will carefully enforce their observance in all parts of India. The mode in which dormant claims on lands now uncultivated and apparently deserted are proposed to be dealt with will be referred to in a subsequent part of this Despatch.

5. The waste lands in different parts of India are found under such varying conditions that it would be difficult, if not impracticable, to deal with all in the same manner. In the greater part of the country no material objection to the proposed plan may perhaps be anticipated; but in distant and wild tracts the case will be widely different. In paragraph 4 of the Resolution it is confidently "anticipated that harmony of interests between permanent European settlers and the half-civilized tribes, by whom most of the waste Districts and the country adjoining them are thinly peopled, will conduce to the material and moral improvement of large classes of the Queen's Indian subjects, which, for any such purposes, have long been felt by the Government to be almost out of the reach of its ordinary agencies." I cannot but fear that such anticipations are little likely to be realized in frontier Districts, such as the Huzara mountains, the Hilly tracts on our North-Eastern boundary, and other similar localities which are inhabited by warlike and predatory clans. It is assumed that half-civilized tribes will be ready to appreciate a community of interests between the European settlers and themselves. I apprehend, on the contrary, that, passionately attached as they are known to be to their ancestral lands, they might rather regard the intrusion of European strangers as an encroachment and a wrong inflicted on themselves. Differences and quarrels ending in affrays and bloodshed might arise, which would lead to the necessity of employing an armed force for their suppression. Such has been the result of our experience in many of our Colonial possessions, of which a signal example may be found in the recent unhappy occurrences in New Zealand. It is unfortunately the case that situations such as those referred to are, from their climate, the best adapted to European constitutions, and, therefore, not unlikely to attract British settlers; but placed as they are, to use the words of the Resolution, beyond the reach of the ordinary agencies of Government, the necessity of affording protection to such scattered Europeans as might settle on them would render their occupation by British subjects a source, in a political sense, rather of weakness than of strength to the Indian Government, and would certainly involve an amount of expenditure far outweighing any

advantages which could be expected from it. I must, therefore, desire that the greatest caution be exercised in allowing grants of land in outlying Districts, where the arrangements for the protection of life and property are still imperfectly organized.

6. It is proposed (paragraph 29) that the price to be set upon waste lands "should not exceed Rupees 2½ [five shillings] per acre for uncleared land, or Rupees 5 [ten shillings] per acre for land unencumbered with jungle, subject to deduction of area for swamps or uncultivable land."

7. It is apparently intended to apply this Rule to all lands throughout India, now unassessed and without immediate claimants, with the sole exception (paragraphs 23 and 24) of "special tracts," which, for the public interests, it may be necessary to reserve for future disposal, and of "reserves of grazing land, or of land for the growth of forest trees or of firewood near towns and stations, or for other special purposes, such as sites for sanitaria, building lots, &c., &c.," which "are not to be sold without the special sanction of Government."

8. The proposal to divide all the unassessed and unclaimed lands throughout India into two classes, those which are "encumbered with jungle" and those which are not, and to sell the lands of each class at an uniform price per acre, without any regard to their situation or to their presumed fertility, appears to me to be untenable. A tract enjoying every advantage of soil, climate, and situation, placed perhaps close to a navigable river, or in the immediate vicinity of a projected Railway Station, is to be dealt with as if of no more value than a tract of sandy desert, far removed from all means of irrigation, and even from communication with other Districts. It cannot be supposed that land, although now uncultivated and unclaimed, on the banks, for instance, of the Baree Doab Canal, is worth no more than land situated at five or ten miles beyond its fertilizing influence. Even in the Sunderbuns, to which especial reference is made in the Resolution, I have reason to believe that the proposed rule of an uniform price would be inapplicable. On the side bordering on the 24-Pergunnahs and Jessore the land is represented to lie low, and to be constantly liable to inundation by salt water, rendering expensive embankments absolutely necessary; whereas, on the Backergunge side the land is comparatively high, requiring less protection from the encroachments of the sea, and, in addition, is much more fertile. It cannot surely be contended that lands differing so entirely in their intrinsic value ought to be sold at the same price.

9. For these reasons, and others to which I shall not now refer in detail, Her Majesty's Government cannot approve of the proposal to fix an uniform price for all unassessed and unclaimed land throughout India without reference to locality or situation, and I have accordingly to request that your Excellency in Council will immediately take measures for withdrawing the offer made in para-

graph 29 of the Resolution. The several Governments and Lieutenant-Governors should be instructed to fix, after communication with the chief Local Authorities, a minimum price suited to the circumstances of the various descriptions of land which they may find to be at their disposal in each District of their Presidency or Province, of which a public announcement should be made.

10. In regard to the mode of sale, I am of opinion that the course adopted in many of our Colonies should be pursued; and that the lands applied for should be put up to auction at a minimum or upset price, and sold to the highest bidder. This plan has been followed in the Madras Presidency under the Rules promulgated in August 1859. It is true that, in paragraph 30 of the Resolution, provision is made for the sale by auction of any lot for which more than one intending purchaser may apply; but the proceeding is evidently meant to be exceptional, and the grant is in all ordinary cases to be made to the applicant at a fixed price.

11. I observe that, under paragraph 25, "when the land is unsurveyed, immediate possession may be given on payment of the Collector's estimate of the cost of survey." I am of opinion that this provision should be modified, and that the following course should be pursued. If the land should be unsurveyed, the first step will be to survey it, the applicant, of course, depositing the estimated cost of that proceeding. On the completion of the survey, and at once in the case of surveyed land, the boundaries of the plot should be marked out, and an Advertisement should be issued, describing the land to be sold by auction, stating the upset price, and specifying the place and date of sale. At the sale the land will be assigned to the person offering the highest price, or, in the event of no competition, to the applicant at the upset price, the cost of Survey (if made) being added in both cases. The Advertisement should be posted on the land itself, as well as in the neighbouring villages, and in all other usual places. I consider the previous marking out of the boundaries of the land applied for to be absolutely indispensable, if only as a means of attracting the attention of the residents in the neighbourhood, by whom the mere issue of an Advertisement might probably pass unnoticed. Thirty days after the publication of that Advertisement, and subject to the considerations hereafter to be adverted to in regard to the necessity of a legislative enactment for disposing of the claims of third persons subsequently preferred, possession might be given to the purchaser.

12. I have also to point out to you that some alteration is required in the language used in the second clause of paragraph 10. It is there stated that, "at the grantee's option, a fixed annual sum may be paid at the rate of ten per cent., on any unpaid portion of the price of the grant which will then be under hypothecation until the price is paid in full." This provision is explained in paragraph 28 to mean that interest at the rate of ten per cent. per

annum is to be charged on any balance of the purchase money which may remain unpaid; but as it stands it is open to the interpretation that the purchase money may be paid off by ten yearly instalments without interest.

13. In order to carry out the provisions contained in paragraphs 17 to 19 of the Resolution, legislative action is indispensably necessary. It is therein declared that if, within thirty days of the date of the application (or, as directed in paragraph 11, from the issue of the Advertisement), any prior claim of property or occupancy in the land applied for should be preferred, such claim is to be "disposed of," and, apparently, satisfied by the applicant himself. If, however, after the expiration of the thirty days, when the formal allotment of the land will have taken place, "any person shall establish a right of property in the land so allotted, the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed. But, provided the claim be made within one year from the allotment, the claimant, on proof of his right, and on shewing good reason why his claim was not advanced before the allotment was made, shall be entitled to receive from the Government full compensation for the actual value of his interest in such land. After the expiration of a year all rights of third persons which have not been already claimed will be altogether barred, as well in regard to compensation as against the land," subject, however, to such exceptions as are admitted by the existing law of limitation.

14. It appears to me impossible that, in any country possessing regular tribunals, a Resolution of the Executive Government would be held to over-ride the existing law. Suppose that a man within the first year "establishes a right of property" in land which has been "allotted" by Government to another, he is not, however, according to the Resolution, to be put in possession of the land, because the possession of the party to whom the land has been granted must not be disturbed; he is only to receive full compensation for the actual value of his interest. But the man may decline the compensation, and demand the land. In such a case I apprehend the Courts would have no alternative but to decree possession. He may also fail to establish his right within the first year, but may succeed in establishing it ten years later. In this case, too, I presume, the Courts must uphold the existing law, and would refuse to recognize any arbitrary curtailment, by a Resolution of the Government, of the time of limitation which that law lays down.

15. It may be argued that such claims will seldom or never be preferred in respect to lands in such tracts of wild and uncultivated country as were mainly in view when the Resolution was under preparation. Even this supposition is very doubtful. Throughout the wilds of the Sunderbuns, as soon as the Government manifested a desire to dispose of the land to grantees, every acre of the forest was claimed by the Zemindars of the adjoining

Districts, as included in their permanently-settled Estates, and a legislative enactment was required to dispose of these pretensions. In other parts of India much land that is now, and has long been, waste and unclaimed, was formerly, and within no remote period, populous and fully cultivated. The descendants of the old proprietors know their rights, although they may have allowed them to lie dormant while no object was to be gained by asserting them. They may have emigrated to distant villages, and may not even hear of the allotment of their ancestral lands to strangers till long after the period prescribed in your Resolution. Whatever may be the strict letter of the law of limitation, as defined by the Act of 1859, the habits and feelings of the people are undoubtedly in favor of the rights derived from ancestral possession, however long the time may be during which they have remained unclaimed. Even admitting that a suit for the recovery of land after twelve years' adverse possession would be barred by the existing law, I apprehend that the cause of action would be held to lie only from the date of allotment, and that the possession of the grantee would be at any time liable to disturbance until after that period had expired.

16. But the objection to the measure is much stronger when applied to Ryotwarry Districts, in which, it is declared in paragraph 35, "lands for which an assessment has been fixed, but which have been uncultivated for five years or upwards, and which are at the absolute disposal of the Government, may be sold under the same conditions as unassessed waste land, excepting that the price shall be twenty years' purchase of the assessment." If this provision be acted on there can be little question that claimants without number will spring up, possessing rights hitherto held to be indefeasible under *meerassee* and other similar tenures in Madras and Bombay, or the *jenmi* tenures in Malabar, causing a most serious amount of embarrassment to the Local Governments.

17. The whole question requires deliberate and mature consideration. Under any circumstances, I am of opinion that the greatest caution will be required in making grants of land, irrespective of claims which may subsequently be advanced by third parties, except within tracts of country in which there may be a reasonable approach to certainty that valid claims will not be put forward, or at any rate, to no considerable extent. If it should be deemed expedient to bar by law the right of re-entry on the land after so short a period as thirty days, the right to compensation should, at all events, remain in force for a longer period. The necessary provision in both cases can obviously be effected only through the means of a legislative enactment. The mode of assessing the compensation to be awarded in such cases should, of course, be clearly laid down by law, and the amount should have reference only to the value of the interest at the date of allotment, irrespective of any increased value which might subsequently be given to the land by the labor or expenditure of the grantee.

18. The Rules contained in paragraphs 31 and 32 for reserving adjoining lands for grantees under certain conditions must, it appears to me, be abrogated as inconsistent with the plan of auction sales now ordered. The actual possessor of any grant will be able to become the purchaser of any additional land which he may require, simply by offering a higher price than any one else is willing to give.

19. The provisions for the commutation of existing grants into grants under the new Rules, and for the redemption of the rent on unassessed lands already granted, contained in paragraphs 33 and 50, obviously require revision. In the latter of these paragraphs it is stated that "grants which have already been given for a term of years at progressively increasing rents, such as those in the Sunderbuns, will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue, at the highest rate fixed for any year during the currency of the grant, *provided it shall not exceed the rate fixed in paragraph* 29 *of this Resolution*, and if there is no right of occupancy other than that of the lessee, or that derived from him."

20. It is evident from the letter under reply that this provision was not intended to include grants on the Neilgherry or Shervaroy Hills, or in Wynaad, as they are especially referred to as "lands which, being assessed at one Rupee per acre, will not be purchaseable for less than twenty Rupees an acre." The words, however, of the Rule are, as it appears to me, wide enough to include not only the holders of such grants, but also such cases as that of the land granted to Mr. Atherton at Kangra, which forms the subject of the second of Lord Stanley's Despatches referred to. He was permitted to purchase the proprietary right over 1,000 acres of land for the sum of Rupees 1,500, subject to an assessment of four annas an acre, which, at the expiration of the existing settlement, was liable to be raised to one Rupee per acre. In both cases it would seem that the grantees might claim to hold their lands discharged of all future payments by tendering the maximum price of Rupees 5 per acre, after deducting in the latter the balance already paid.

21. In order to prevent such a result, I have to desire that so much of paragraph 50 as provides that the price to be paid for the redemption of the land revenue on grants already made shall in no case exceed the rate fixed for lands newly granted, may be withdrawn.

22. It is declared in paragraph 37 that "the tenure of all waste lands granted under this Resolution will be that of an heritable and transferable property, held in perpetuity, free from all claims, either of the Government or of third parties, prior to or inconsistent with the grant." It must be made perfectly clear by the terms of the grant that the "claims of Government" herein mentioned include only claims on account of land revenue and do not extend to exempt the possessor of the grant from general

taxes, such as those on income; nor from local rates which may hereafter be imposed throughout the District for the construction or maintenance of roads, or for other purposes.

23. I now proceed to that which is by far the most important portion of the Resolution, *viz.*, the redemption of the land revenue.

24. This measure has generally been advocated with the object of promoting the settlement of Europeans in India. In paragraph 4 of the Resolution, it is remarked that "the best results to the people of India may be looked for from the settlement of Europeans in climates in which they can live and occupy themselves without detriment to their health, and whence they may direct such improvements as European capital, skill, and enterprise can effect in the agriculture, communications, and commerce of the surrounding country." I fully admit the advantages which have arisen, and which, in future, are likely to arise from the settlement of Europeans in many parts of India, by the introduction of new or improved processes of agriculture and manufactures, and by the moral influence of their example on the neighbouring population; and I am most anxious that every facility should be given to persons desirous of settling in India with that object in view.

25. It appears to me, however, that an extension of the practice which is pursued in some Districts, particularly in the hilly tracts of the Madras Presidency, would amply provide for any extent of redemption with a view to such settlement which would be likely to take place. It does not seem probable that the permission to redeem would be taken advantage of, except in a comparatively small number of cases. The rate of interest which can be obtained in ordinary transactions so far exceeds that which an investment in the purchase of the land assessment would afford, that few persons would be likely to adopt that course. The permission given to the settlers in the Neilgherry, Shervaroy, and Pulney Hills to redeem their land tax at twenty years' purchase has not, so far as I am informed, been acted on in a single instance; and the very inconsiderable extent to which the Inamdars of the Madras Presidency, and the owners of property within the Collectorates of Calcutta and Madras, have taken advantage of the power to redeem their quit-rents by a single payment, leads also to the conclusion that only a very few persons would be disposed to avail themselves of the offer.

26. If the power of redeeming was extended at the discretion of the local Governments so as to include lands required for dwelling houses, factories, gardens, plantations, and other similar purposes, it would probably meet every case for which provision need be made. This permission to redeem the land assessment should extend to portions of land comprised within Zemindaries, the jumma of which is not redeemed, a proportionate reduction being, of course, made in the jumma payable to Government.

27. Such a measure, however, would only be a narrow and partial character. The benefit of it would be confined to comparatively very few persons, even if some natives were found to avail themselves of it.

28. But the measure contemplated in Lord Stanley's Despatch, and in the Resolution under discussion, has a much wider scope, and larger and more serious questions arise in the consideration of it than would appear at first sight to be involved.

29. The redemption of the land revenue is authorized, both on lands permanently settled and on lands temporarily settled; and "the price to be paid is fixed at twenty years' purchase of the existing assessment," the only limitation being that in every District the permission of redemption shall in the first instance, be restricted to such a number of Estates as shall, in their aggregate assessment, not exceed 10 per cent. of the total land revenue.

30. As regards the former, *viz.*, the permanently-settled Estates, no practical difficulty exists if redemption is to be allowed at all as a general measure, a question which will hereafter be considered. The only matter for discussion is the price to be demanded for it.

31. It is remarked in the Resolution that "justice to the public creditor, and a due care for the resources of the Government require that, as long as the public revenue is no more than sufficient to meet the current charges of the Empire, and the interest of its debt, no lower terms of redemption of a permanent tax forming the security for that debt should be accepted than will, when the price is invested in the public securities, afford a corresponding relief in the payment of interest."

32. The words here used appear to refer to the instructions in Lord Stanley's Despatch of the 31st December (No. 2) 1858. But it is clear that the object avowedly in view would not be attained by pursuing the course proposed in the Resolution. So long as the Notes of the 5 per cent. loans are purchaseable at par, the extinction of a perpetual annuity may be effected without loss by the payment of twenty times its amount. If, however, as anticipated in that Despatch, a reduction of interest on the public debt should take place—such, for example, as would arise from the 4 per cent. loan becoming saleable at par—it is clear that the same purpose could only be accomplished by requiring a sum equivalent to twenty-five years' purchase of the perpetual annuity; or in other words, of the jumma of the permanently-settled Estate. In this country the redemption of the land tax is, by the existing Acts of Parliament, permitted on the payment of a capital sum varying according to the actual price at the time of Government Stock, and for this purpose the 3 per cent. consolidated annuities, which constitute by far the largest portion of the public debt, and bear the lowest rate of interest, are taken as the basis of calculation.

33. When, however, it is proposed to apply the measure to land under temporary settlement, much more serious questions arise, involving the most important change in the tenure of land throughout the greater part of India.

34. It was stated in Lord Stanley's Despatch of December 1858, that the redemption of the land assessment must necessarily operate as a permanent settlement of the revenue on the lands to which it was applied at the amount of the present assessment, and it is obvious, on the slightest consideration, that this must be the case.

35. We must be prepared then to deal with the measure as effecting, to the extent to which it may be carried, a permanent settlement of the land revenue of India; and it becomes necessary to consider in all its bearings that most serious question which has for so many years been the subject of controversy, and has been viewed in such opposite lights by many of the ablest men who have given their attention to the most important matters of financial and social interest affecting that Empire. Whatever advantages or disadvantages are anticipated from a direct permanent settlement will be equally caused by the indirect mode of attaining the same object by a redemption of the land assessment.

36. Before entering, however, on the general considerations affecting such a measure, I will advert to those which are peculiar to the proposal of redeeming the assessment. Even if the measure be limited to the redemption of one-tenth of the assessment in any District, it appears to me that a very serious difficulty presents itself at the outset. Unless the fair and equal bearing of the assessment on the estates or classes of land which it comprises be first ascertained, it is almost inevitable that loss will be incurred by the State. In all revisions of settlement, even where no increase of the aggregate revenue is obtained, or even expected, it is generally found that while some Estates or classes of land may fairly be subjected to an increased assessment, others will require an abatement, although the majority may probably be left at the existing rates. It is obvious that if a right of redeeming their assessment, by the payment of a capital sum be given to the landholders to the extent of one-tenth of the aggregate revenue of every District, the owners of those Estates will be most anxious to avail themselves of it in which the assessment is the lowest in proportion to the value of the land. On Estates where the assessment is so redeemed, the State will necessarily be precluded from raising it at any future period. On the other hand, the redemption being optional, the owners of land on which the assessment may now press unduly would of course decline to avail themselves of the permission, and they could not fairly be deprived of the relief for which they might reasonably look at the next revision of settlement, because others had taken advantage of it and redeemed their assessment. By this arrangement, therefore, the Government is clearly sub-

jected to a prospective loss. Before redemption can be permitted in any District it is indispensable, therefore, to ascertain that the assessment bears equally on all the Estates or classes of land within it.

37. It is of course impossible to foresee to what extent the owners of land would be disposed to avail themselves of permission to redeem the assessment, but we must be prepared to meet the consequences of the disposition becoming general.

38. If the disposition to redeem should exist to any great extent, and if the power of so doing is to be held out as a boon to the land-owners generally, it is difficult to see on what principle the permission could be restricted to such proportion of them only as pay one-tenth of the assessment in each District. The whole benefit of such a limited measure might be appropriated by a few wealthy land-owners, and no advantage whatever would be derived from it by the great mass of the occupiers of land. The latter body would complain, and I think with good reason, of being unfairly and unjustly treated. It is this class, however, whose condition it is so manifestly the interest of the Government to raise, and whose attachment it is so desirable to secure. It seems to me, therefore, that if we go so far as to give a right to redeem to the extent of one-tenth of the assessment, it is impossible to stop at that point. We must go further and contemplate a *general* right to redeem the land assessment.

39. Now, even as regards redemption to the extent of one-tenth, there is a consequence which does not seem to have been foreseen, and which, if the redemption were to become general, would produce great difficulty. The amount of capital which would be required, incalculably exceeds what can be supposed to be in the hands of the land-owners. Nor, indeed, if they were in a condition to provide such a sum, would it be desirable that so large an amount should be placed at the disposal of the Government, which would find itself in the embarrassing position of having its treasury overflowing with money arising from the capitalization of its annual income, which it would have no adequate means of employing or investing.

40. The objection arising from capitalizing the income of the State and depriving it in future years of the steady and stable resource of the land revenue, on which it can, under all circumstances, confidently rely, is most serious. It is not a consideration of slight importance that of all sources of revenue none is so easily collected, and none more willingly paid. Her Majesty's Government would be sorry to deprive the Government of India in future years of this large and most unobjectionable portion of their income, which the people have been immemorially accustomed to contribute, and which, consequently, all the authority of prescription and tradition in its favor. These considerations seem to me to be fatal to a scheme of general, or even of a very extensive redemption of the land revenue.

41. A direct permanent settlement of the land revenue is free from this objection, and it remains, therefore, to discuss this most important question, and to weigh with the greatest care all the considerations by which it ought to be determined.

42. The land revenue of India, as of all Eastern countries, is less to be regarded as a tax on the land-owners than as the result of a kind of joint ownership in the soil or its produce, under which the latter is divided, in unequal and generally undefined proportions, between the ostensible proprietors and the State. It is not only just but necessary for the security of the land-owner that the respective shares in the produce should, at any given period, or for specified terms, be strictly limited and defined. The increase of population, the improvement of communications, and the accumulation of wealth, have a tendency to increase the extent of cultivation and the value of the net produce or rent, and the Government may rightly claim to participate in those advantages which accrue from the general progress of society. This has hitherto been effected by means of periodical adjustment of the share, or at least of its value in money which belongs to the State.

43. By many persons great advantages have been anticipated from what is usually called a permanent settlement, that is, by the State fixing, once and for ever, the demand on the produce of the land, and foregoing all prospect of any future increase from that source. It has been urged that not only would a general feeling of contentment be diffused among the landholders, but that they would thereby become attached, by the strongest ties of personal interest, to the Government by which that permanency is guaranteed. It is further alleged, that by this means only can sufficient inducement be afforded to the proprietors to lay out capital on the land, and to introduce improvements by which the wealth and prosperity of the country would be increased.

44. In this country these views have been put forward mainly in reference to the settlement of Europeans in India, but they are clearly applicable to the occupiers of land generally throughout India. They have been entertained by many of our ablest Officers, and they have recently been advocated by the late lamented Colonel Baird Smith, in relation to their probable effect on the agricultural population of the North-West Provinces. In his Report on the remedial measures required in those Districts which had suffered most severely in the late famine, he strongly recommends that a permanent settlement should be accorded whenever the land revenue now assessed may reasonably be assumed to have reached its probable limit. That recommendation was based both on social and financial grounds, and was founded on his conviction of the great benefits which had accrued to the country from the demand of the Government having been declared unalterable for a period of thirty years. He desired to confirm and accelerate the improvement which he had witnessed by strengthen-

ing the motives which, in his opinion, had produced it. It was his belief that this object could be most effectually attained by the concession of a demand fixed in perpetuity instead of only for a limited term.

45. On the other hand it has been urged that the consequence of a permanent settlement of the land revenue is to preclude the Government from ever obtaining any future augmentation of income from this source; and, considering that the experience of all countries advancing in civilization demonstrates that the cost of administration in constantly tending to increase, it follows that the additional charge which will fall on the Government must of necessity be met by taxation in some shape, such as Customs, Excise, Salt, Stamp, or Income duties. Colonel Baird Smith, in the able paper already referred to, admits that this result will take place; but he argues (paragraph 64) that any sacrifice of public revenue involved in the concession of a demand fixed in perpetuity would be more than compensated by the increased ability of the people generally to bear taxation, direct or indirect, which would necessarily follow on the improvement in their social condition. An "intelligent and powerful Government," he says, "could not fail to participate in these advantages." "Its intelligence would direct it to the least offensive and most effective means of sharing in the general prosperity, and its power would ensure the fair trial and ultimate success of those means."

46. It is a serious and difficult question to determine by which course the interest of India will be best promoted. Before deciding on any step by which the prospect of any future increase of land revenue is given up, it must be very carefully considered how far, on the whole, it is likely that the possible sacrifice of increased revenue from this source will be made up by the greater ability of the people to contribute in other ways to the public income, and whether it will be for the general interest to purchase at this price the social and political advantages which have been adverted to.

47. Her Majesty's Government entertain no doubt of the political advantages which would attend a permanent settlement. The security, and, it may almost be said, the absolute creation of property in the soil which will flow from limitation in perpetuity of the demands of the State on the owners of land, cannot fail to stimulate or confirm their sentiments of attachment and loyalty to the Government by whom so great a boon has been conceded, and on whose existence its permanency will depend.

48. It is also most desirable that facilities should be given for the gradual growth of a middle class connected with the land, without dispossessing the present proprietors and occupiers. It is believed that among the latter may be found many men of great intelligence, public spirit, and social influence, although individually in comparative poverty. To give to the intelligent, the

thrifty, and the enterprising the means of improving their condition, by opening to them the opportunity of exercising these qualities, can be best accomplished by limiting the public demand on their lands. When such men acquire property and find themselves in a thriving condition, they are certain to be well effected towards the Government under which they live. It is on the contentment of the agricultural classes, who form the great bulk of the population, that the security of the Government mainly depends. If they are prosperous, any casual outbreak on the part of other classes or bodies of men is much less likely to become an element of danger, and the Military Force, and its consequent expense, may be regulated accordingly.

49. The strongest opponents of a permanent settlement would probably admit the political and social advantages of such a measure. Their main argument against it is based on the financial consideration that by means of temporary settlements the land revenue might be raised, from time to time, according to the expected rise in the value of land, and that, by this means also, the loss might be avoided, which, in all cases of fixed money payments, must ensue, if a depreciation of the value of the precious metals should take place.

50. It is indispensable, of course, that whether with a view to redemption, even to the extent of one-tenth of the revenue, or to a permanent settlement, the preliminary step of a revision of the present assessment must be taken. In the first instance, whichever course may be finally adopted, a full, fair, and equable rent must be imposed on all lands now under temporary settlement; and when that has been accomplished, Her Majesty's Government are of opinion that a permanent settlement may be safely applied. This was the course recommended by one of the ablest and most distinguished men who ever was called on to bear a part in the administration of British India. In his celebrated Minute of the 31st December 1824, Sir Thomas Munro, then Governor of the Presidency of Madras, several times refers to this subject, and particularly in the following passage:—"No survey assessment of a great Province," he says, "can ever at once be made so correct as not to require future alteration; when, therefore, it has been completed with as much care as possible, a trial should always be made of it for six or seven years. This period will be sufficient to discover all defects in the assessment. A general revision of it should then be made, and wherever it might be found too high it should be lowered, and it may then, with safety to the revenue and benefit to the people, be made permanent."

51. When once the rent has been properly fixed, any increase consequent on the natural progress of society will in all probability take place, but slowly, and reach no great amount until after a considerable interval. It must be remembered that, in all the revisions of settlement which have taken place of late years, the

tendency has been towards a reduction in the rates of assessment. Whenever the settlements have been carefully made, and the capabilities of the country have been well ascertained, the probability of any considerable increase of land revenue appears to be but slight.

52. The necessity for the reduction above noticed seems to have been caused mainly by the depreciation in the value of the crops from the increased production consequent on the greater tranquility of the country under British rule. There are at present symptoms of a rise in the price of agricultural produce, caused probably, to a great extent, by the increased employment of labor in the construction of Railways and other public works. But the Railways, when completed, while they will contribute largely to the development of the resources of India, may in some degree, counteract this tendency. The great differences in the price of food in Districts at no great distance from each other, so that while one was in a condition bordering on famine, others enjoyed comparative plenty, will cease to exist, at least to the same extent, when ready and cheap means of transport shall have been provided. Produce from the interior will be more readily brought to the centres of consumption or of exportation, and the value of land in the interior will be thereby increased; but on the other hand, the value of the produce of land near large towns and the coast will be reduced by the competition of the produce of the interior. The probable effect of the railroads would seem to be towards the equalization of the prices of produce in different parts of India, and a general improvement in the wealth of all classes of the country rather than to give any peculiar advantage to the landholders.

53. That this general improvement will be accelerated by a permanent settlement, Her Majesty's Government cannot entertain any doubt. A ready and popular mode of investment for the increasing wealth of the country will be provided by the creation of property in land, and all classes will benefit by the measure. On the agricultural population the effect will be, as pointed out by Colonel Baird Smith in the able paper already referred to, the elevation of the social condition of the people, and their consequent ability, not only to meet successfully the pressure occasioned by seasons of distress, but, in ordinary times, to bear increased taxation in other forms without difficulty; the feeling of ownership, or in other words, the absolute certainty of the full enjoyment of the reward for all the labour and capital which they may invest in the land, will be sure to call out all their energies for its improvement. Her Majesty's Government confidently expect that a people in a state of contentment and progressive improvement will be able without difficulty to contribute to the revenue in other ways to such an extent, as more than to compensate for the disadvantage of foregoing soem prospective increase of that from land.

54. The example of Tanjore may be cited in confirmation of this view. It has been for many years so moderately assessed that a feeling of private property in the soil has continued to exist among the people to such an extent that land sells, on an average, for twenty years' purchase. This District is eminently one in which a permanent settlement might properly be established; and that such a measure would lead to no loss of public income may be inferred from the fact that in it the receipts from Salt, Abkarry, and Stamps have in ten years risen from Rupees 6,54,500 to Rupees 9,50,500, or nearly 48 per cent.

Minutes by Sir C. E. Trevelyan, dated 18th and 28th January 1860.

55. It must also be remembered that all revisions of assessment, although occurring only at intervals of thirty years, nevertheless demand, for a considerable time previous to their expiration, much of the attention of the most experienced Civil Officers whose services can be ill spared from their regular administrative duties. Under the best arrangements the operation cannot fail to be harassing, vexatious, and, perhaps, even oppressive to the people affected by it. The work can only be accomplished by the aid of large establishments of native ministerial Officers, who must, of necessity, have great apportunities for peculation, extortion, and abuse of power. Moreover, as the period for re-settlement approaches, the agricultural classes, with the view of evading a true estimate of the actual value of their lands, contract their cultivation, cease to grow the most profitable crops, and allow wells and water-courses to fall into decay. These practices are certainly more detrimental to themselves than to the Government, but there can be no question that they prevail extensively. The remedy for these evils, the needless occupation of the valuable time of the public officers employed in the revision, the extortion of the subordinate officials, and the loss of wealth to the community from the deterioration of cultivation, lies in a permanent settlement of the land revenue.

56. The course of events which has been anticipated is, indeed, only that which has taken place in every civilized country. Experience shews that in their early stages, nations derived almost the whole of their public resources in a direct manner from the produce of the soil, but that as they grew in wealth and civilization, the basis of taxation has been changed, and the revenue has been in a great degree derived indirectly by means of imposts on articles which the increasing means of the people, consequent on a state of security and prosperity, have enabled them to consume in greater abundance. I am aware that it has been stated as an objection to promoting such a course of things in India that, in most European countries, the advantages of this change have been mainly appropriated by the large land-owners; but it must be remembered that in India, and especially in the Districts under Ryotwarry settlement, the great bulk of the agricultural population are the proprietors, subject only to the payment of the assessment

of the lands which they till; and that consequently, the benefit of a permanent settlement would be enjoyed, not by a narrow and limited class, but by the majority of the people.

57. The apprehension of a possible fall in the relative value of money, which has been previously noticed, though deserving consideration, does not seem to Her Majesty's Government to be of sufficient moment to influence their judgment to any material extent in disposing of this important question.

58. After the most careful review of all these considerations, Her Majesty's Government are of opinion that the advantages which may reasonably be expected to accrue not only to those immediately connected with the land, but to the community generally, are sufficiently great to justify them in incurring the risk of some prospective loss of land revenue in order to attain them, and that a settlement in perpetuity in all Districts in which the conditions absolutely required as preliminary to such a measure are, or may hereafter be, fulfilled, is a measure dictated by sound policy, and calculated to accelerate the development of the resources of India, and to ensure, in the highest degree, the welfare and contentment of all classes of Her Majesty's subjects in that country.

59. They consider that the direct mode of making a permanent settlement is preferable to the indirect one of obtaining a similar result by conceding to the landholders the right to redeem their assessment. They do not believe that the power to redeem the land revenue is necessary to induce the landholders to incur expenditure in the improvement of their property. What is really required in order to call into effective action their enterprise and capital, is not an exemption from all payments to the Government on account of their Estates, but the fixing those payments in perpetuity at a moderate and certain amount. In Bengal, where a permanent settlement was made with the Zemindars seventy years ago, the general progress of the country in wealth and prosperity, notwithstanding the depressed condition of the peasantry, caused by errors and omissions in the mode of making the settlement, has been most remarkable. Such errors in the existing state of our knowledge regarding the rights and interests of the subordinate occupants of the soil would not be permitted to recur.

60. It must be remembered that, with a view to attaining the objects aimed at, of improving the condition of the people, and enabling them to contribute in other ways to the public revenue, it is essential that the measure should be generally brought into operation. The improved condition of a limited number and of an exceptional class would add little to the contentment of the population, or to the resources of the public treasury. No measure can be really effective for such purposes unless it can be brought to bear on the general mass of the population.

61. Although, therefore, the acquisition of a permanent tenure free from rent might be more acceptable to the European capita-

list, it is certain that, to the native agricultural population of India, who do not possess capital, permanency of tenure, and fixity of rent will afford all that they require, or from which they could derive any benefit. To hold out to them as a boon the offer of redemption, of which hardly any one could avail himself, would be merely illusory, nor would the object be attained which is prescribed in Lord Stanley's Despatch, that in any recommendation which might be submitted the proposed benefits should be participated in by the agricultural community generally. By the Madras freehold rules it was at first directed that the sales should be made without any reservation of rent, but the Planters complained that the capital required for clearing the forest would be exhausted in paying the purchase money. The capital which would be absorbed in purchasing the fee simple and redeeming the land tax would be more profitably expended in improving the land.

62. In either case, whether the land revenue were redeemed, or its amount fixed in perpetuity, the benefit of all improvements would equally go into the pocket of the landholder, nor could he have any difficulty in paying the moderate rent which is now universally fixed on revising the assessments.

63. Her Majesty's Government have therefore determined to limit the power of redeeming the land revenue to such cases as are referred to above in paragraph 26; but they have resolved to sanction a permanent settlement of the land revenue throughout India. It will, however, still remain to be determined how far any particular District is in a condition to warrant the practical application of the measure at the present time.

64. There are doubtless parts of the North-Western Provinces, and probably of the Punjab, where so large a proportion of the soil was already under cultivation when the existing settlements were made, that, assuming the rates of assessment to have been fairly adjusted to the capabilities of the land, little or no increase can be expected in the revenue on the revision which will take place on the expiration of those settlements. Such Districts, provided that the assessment is not only adequate in amount but also equally distributed, may be considered to be in a condition in which the introduction of a permanent settlement might properly be permitted.

65. In other parts of these Provinces a large proportion of the land is still uncultivated, and does not consequently yield to the public treasury a return commensurate with its prospective capabilities, while in recently acquired territories, such as Oudh and Nagpore, which are still unsurveyed, no means exist for determining either the adequacy of the amount, or the equality of the pressure of the present assessment.

66. In the Ryotwarry Districts of Madras and Bombay the difficulties in the way of a permanent settlement appear to Her Majesty's Government to be the greatest.

67. In the former Presidency the revision of the assessment for the purpose of bringing it into accordance with the present circumstances of the people and the country has only recently been commenced. The existing settlement records, which determine the supposed extent of each holding, and, by consequence, the actual rate of assessment, are in many cases untrustworthy. It is true that by the increase of cultivation, which has ensued on the reduction of the assessment on the higher classes of lands, a greater aggregate revenue has been obtained; and, although some increase may be found practicable in the rates on the lower classes, it is probable that the general result will be a reduction in the average rates. At all events there is ample evidence that the actual incidence of the assessment as regards particular fields or estates requires careful re-adjustment. It was with the view of equalizing the pressure of the assessment, and with no desire or expectation of increasing its amounts, that the arrangements now in progress, estimated to cost at least three-quarters of a million sterling, were sanctioned by the Home Authorities.

68. In Bombay the revised assessment, though still in progress, has been, throughout a large portion of the Presidency, for many years in operation. It is well understood that the existing rates were adopted rather to the depressed circumstances of the agricultural population at the time when they were imposed than to the prospective capabilities of the soil. The measure has been in all respects successful, and it is believed that the condition of the people has advanced so rapidly, that on its revision a very considerable increase may be effected in the rates without any undue pressure on the resources of the people.

69. Her Majesty's Government consider, therefore, that, although for different reasons, these two Presidencies are not at present generally in a condition which would warrant them in authorizing a permanent settlement of the land revenue on the assessed lands at the existing rates. In both Presidencies, however, as Districts are gradually brought under the revised assessment, and when there is no reason to believe that the land revenue has not only reached its probable limit, but that it is equitably distributed over the lands effected by it, this restriction will no longer be needed.

70. It is obvious that the process of introducing a permanent settlement must be very gradual, and this circumstance is not without its advantages. It would be impossible at one time to provide Establishments large enough for a general revision of the assessment throughout the whole of India, and the effect of the measure may be watched in its progress. If any unforeseen difficulties occur, there will be time to take measures for obviating them. If the anticipations of a rise in the value of land, or of a depreciation in that of the precious metals should be realized, any loss from these sources could be avoided in subsequent settlements, and the

principal objections to the measure would be in a great measure disposed of.

71. It is to be hoped that the greater interest which the influential classes would acquire in the preservation of peace and order might enable the Government to reduce its Military Establishments, at any rate to such an extent as to provide for the increased charge of civil administration, which improvements in civilization always render necessary.

72. I have therefore to announce to your Excellency in Council, as the result of the foregoing considerations, that. as regards all Districts or parts of Districts, in which no considerable increase is to be expected in the land revenue, and where its equitable apportionment has already been, or may hereafter be, ascertained to your satisfaction, Her Majesty's Government will be ready to sanction on your recommendation, or that of the Local Government supported by you, the settlement in perpetuity of the assessment at the present or the revised rates.

73. I have accordingly to request that you will place yourselves in communication with the several Local Governments, in order to ascertain from them the extent to which, in their judgment, it may be expedient to apply this important measure to the territories under their immediate administration. In the North-West Provinces, where the revision of the thirty years' settlement has already commenced, it is possible that several Districts are now in a condition to justify immediate action. In the Presidency of Madras the result of the survey and settlement operations which have been recently commenced will shew how far the Districts have yet attained the condition contemplated by Sir Thomas Munro, in the extract already quoted, as warranting the establishment of a settlement in perpetuity; while in the revised portions of the Bombay Presidency, it will probably be deemed prudent to await the expiration of the thirty years' leases, which will begin to expire in three or four years before taking any steps for giving permanency to existing arrangements.

74. I must remind you that, wherever a permanent settlement is made directly with individuals or communities, for Estates in which other persons possess subordinate rights and interests, those rights and interests should be guarded with the greatest care, so as to avoid the errors which are now acknowledged to have been committed in respect to the permanent settlement of Bengal.

75. With regard to the investment of the amount which may be received by the Government from the sale of waste lands, or in commutation of land revenue, I observe that it is declared, in paragraph 56 of the Resolution, that, "with a view to secure the Government and the public creditor against any loss of existing sources of Government income, provision will be made by law that all sums paid in purchase of waste lands, or in redemption of land revenue, or in otherwise forestalling the land revenue, shall be

paid to Commissioners, and periodically invested in such manner as the law may direct;" and that the Reports of the Commissioners shall be regularly published. In reference to this arrangement, I have to desire that all moneys received on these accounts should be invested, not periodically, but as soon as practicable, and, as a rule, in the 4 per cent. loan. The price of redemption should be variable according to the actual value at the time of that stock, so that the amount paid, when so invested, may produce a dividend equivalent to the annual revenue which will thereon cease to be received.

76. Your Excellency in Council will understand that the instructions contained in this Despatch supersede at once the provisions of the Resolution of the 17th October 1861 so far as they are inconsistent with them, and that fresh regulations must be prepared and submitted for the approval of Her Majesty's Government. It is not, however, intended that these orders should have retrospective effect, and if any arrangements, in regard either to the purchase of waste lands, or the redemption of land revenue, have been actually completed under the provisions of the Resolution, they must, so far as is compatible with the law, be scrupulously carried into effect. You will, however, furnish me with a special report shewing the extent to which any such arrangements may have been made.

77. Copies of this Despatch will be forwarded for the information and guidance of the Governments of Madras and Bombay.

I have, &c.,

C. WOOD.

To the Secy. to the Govt. of Bengal.
To the Secy. to the Govt. of N. W. Provinces.
To the Secy. to the Govt. of Punjab and its Dependencies.

Revenue, 15th August.—SIR,—With reference to the correspondence noted on the margin, I am desired to transmit, for the information and guidance of the Lieutenant-Governor, copy of a Despatch* received from the Secretary of State, regarding the sale of waste lands and the redemption of the existing land revenue.

* Revenue, No. 14, dated 9th July 1862.

2. It is desirable that rules for regulating the sale of waste lands should be prepared, with as little delay as possible, in conformity with the modified provisions now prescribed by Her Majesty's Government; but it will be observed that all arrangements which have been already completed under the terms of the Resolution promulgated by the Government of India last October, in regard either to the purchase of waste lands, or the redemption of the land revenue, are to be maintained, the present Despatch not being intended to have retrospective effect. Referring to the concluding

words of the 76th paragraph of the Secretary of State's Despatch, I am desired to request that a Report, shewing the extent to which any such arrangements have been made, may be furnished as soon as possible.

3. As regards the sale of waste lands, the principal points upon which the provisions of the Resolution of October last must be modified, in conformity with the instructions now received, are as follows:—

4. Paragraph 29 of the Resolution, which fixed a uniform price throughout India of $2\frac{1}{2}$ Rupees per acre for uncleared land, and of 5 Rupees per acre for land unencumbered with jungle, is cancelled; and it is ordered that the several Governments and Lieutenant-Governors shall fix, after communication with the Chief Local Authorities, a minimum price suited to the circumstances of the various descriptions of land which they may find to be at their disposal in each District of their Presidency or Province.

5. In modification of paragraph 30 of the Resolution, which prescribed the sale of the land by auction in the event of more purchasers than one being desirous to buy the same tract, it is ordered that in every case the land shall be put up to auction at an upset price and sold to the highest bidder.

6. The provision contained in paragraph 25 of the Resolution, admitting of possession being given to an applicant for land in anticipation of survey, will be modified as directed in paragraph 11 of the accompanying Despatch. In conformity with these directions the land applied for must, in every instance, be surveyed, and the boundaries marked out before it is advertised for sale. The applicant for the grant, it will be observed, is to be required to deposit the estimated cost of the survey, which will of course be restored to him if he should be eventually outbid for the land. It is of great importance that a ready agency should be provided for effecting the preliminary survey and marking out of boundaries, so that applicants for land may be subjected to no unnecessary delay.

7. The provision which is made in paragraph 31 of the Resolution for reserving adjoining lands at the requisition of those who take grants must be regarded as withdrawn, it being inconsistent with the general injunction for resort to sale by auction.

8. In the 21st paragraph of the Despatch, herewith enclosed, it is ordered that the provision in paragraph 50 of the Resolution, which limits the price to be paid in the commutation of a grant under the terms of that paragraph to 5 Rupees an acre, shall be withdrawn. It is also observed by the Secretary of State that the provisions generally which relate to the commutation of existing grants under the new Rules contained in paragraphs 33 and 50 of the Resolution require revision.

9. As it has already been found that some misunderstanding prevails in regard to the intention and scope of these paragraphs,

it seems desirable that the present opportunity should be taken of stating what the Governor General in Council understands to have been their purpose. It appears to the Governor General in Council that it cannot reasonably be maintained that paragraph 33 of the Resolution was intended to include land, the absolute sale of which has already been effected, but for which the purchase money has not been wholly paid up, being, by the terms of sale, payable by instalments. It is obvious that in such a case there could be no question of the applicability or the inapplicability of the limitation of the new Rules as to area, inasmuch as the owner has already purchased absolutely the whole area in his possession whatever it may be, and, therefore, though he may not have paid the whole of the purchase money, it is manifest that the permission accorded by the concluding words of the paragraph to purchase absolutely as much or as little of the area as may suit him, has no application to, and could not possibly have contemplated any, such case. The 33rd paragraph of the Resolution can, therefore, in the opinion of the Governor General in Council, be held applicable only to the case of those grantees who hold their lands on terms which do not comprise the right of acquiring an absolute ownership in fee simple. Such grantees, it is the object of the 33rd paragraph to declare, may obtain that right by commuting their grants under the Rules for the sale of land in fee simple.

10. Paragraph 50 of the Resolution declares the terms upon which commutation may be made in the case of one, and that a very large class of existing grants. This paragraph, when modified according to the instructions of Her Majesty's Government, will stand as in the margin.

Grants which have already been given for a term of years at progressively increasing rents such as those in the Soonderbunds, will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue at the highest rate fixed for any year during the currency of the grant, provided there is no right of occupancy other than that of the lessee, or that derived from him.

11. In the case of existing grants, which do not fall under the terms of paragraph 50, the conditions on which commutation under the new Rules will be allowed may be settled with reference to the average value obtainable for waste lands of the same description in the District when sold by auction.

12. As it is highly desirable that persons who wish to avail themselves of the Resolution come to by the Government to dispose of waste lands by sale in fee simple should be enabled to carry their intentions into effect with the least avoidable delay, and as the directions now received from Her Majesty's Government are on most points clear and specific, the Governor General in Council will not require that the detailed Rules to be framed by the several Local Governments should be submitted for the sanction of the Government of India before they are acted on. A copy of the Rules should, however, be forwarded as soon as they

are finally approved by the Lieutenant-Governor; and if on any point the intention of Her Majesty's Government should seem to the Lieutenant-Governor to be doubtful, the question should be referred to the Governor General in Council for determination. As legislation will be necessary to give legal effect to the provisions of paragraph 19 of the Resolution, a Bill for that object will be introduced, on the meeting of the Governor General's Council, for legislative purposes.

13. With respect to that part of the Secretary of State's Despatch, which discusses the important questions of a redemption of the land revenue, and of a permanent settlement, the Governor General in Council thinks it unnecessary at present to do more than point special attention to the conclusion which is announced in the 26th and the 63rd paragraphs as to the extent to which redemption of the existing land revenue is to be permitted, and to the 72nd paragraph, in which the conditions are finally stated, which, in the opinion of Her Majesty's Government, should be attained before a permanent settlement is conceded. It will be observed that this paragraph contemplates that the previous sanction of Her Majesty's Government should be obtained to the introduction of a permanent settlement in any District. Early steps should therefore be taken to obtain the information which will be required to enable the Local Government to submit the Report referred to in the 73rd paragraph as to the extent to which it may now be expedient to give effect to this important measure.

E. C. BAYLEY,
Secy. to the Govt. of India.

By Order of the Governor General in Council,

E. C. BAYLEY,
Secy. to the Govt. of India.

RULES FOR THE SALE OF UNASSESSED WASTE LANDS IN THE LOWER PROVINCES OF BENGAL, AND FOR THE REDEMPTION OF THE REVENUE OF SUCH LANDS ALREADY GRANTED FOR A TERM OF YEARS.

PUBLISHED BY AUTHORITY OF THE GOVERNMENT OF BENGAL.

1. All unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed and to be capable of revival, are available for purchase under these Rules, unless specially reserved under Rule 21.

2. No greater quantity of land than three thousand acres shall be sold in one lot except with the express sanction of the Government. If, for special reasons, in particular localities, a lower maximum area than three thousand acres should be determined upon, it will be duly notified hereafter. There is no prohibition against the same person applying for two or more lots of land, provided that each application comprises no more than 3,000 acres, or such other maximum as may be prescribed.

3. Every lot shall be compact, and shall include no more than one tract of land in a ring fence; and when the land touches a public road or a navigable river, the length of the road or river frontage shall not exceed one-half the depth of the lot, provided that if, for any special reason, the Board of Revenue shall see fit to relax this restriction, it shall be competent to it to do so. If it should appear from the survey or otherwise, that the application does not comply with these conditions, the Collector may call for an amended application; and, in the event of a revised application not being given in within 15 days, the application shall be held to be cancelled, and the deposit shall be returned to the applicant, less the amount of expense actually incurred for advertisement, survey, and the like. [No lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.]

NOTE.—*The portion of this rule within brackets and the connected provisions of Rule 6, have been temporarily suspended in the Districts of Assam, Cachar, Sylhet, and Darjeeling, the whole area remaining hypothecated for any deficiency in the price paid which may appear on the completion of survey.*

4. Applications for the purchase of waste land shall be made to the Collector of the District, and every application shall contain the following particulars:—

1*st*. The estimated area of the land applied for.

2*nd*. The situation of the land and its boundaries as accurately as can be ascertained.

Applications shall immediately be entered in a Register, (Revenue Form No. 35).*

5. If the Collector be satisfied that the land applied for is available for purchase, and within the conditions prescribed in Rules 2 and 3, and if it have been previously surveyed and demarcated, he shall advertise the lot for sale on a given day, at an upset price of not less than two rupees eight annas an acre on the whole area. The advertisement shall be published in the Collector's Office, in the Court of the principal Judicial Officer of the District, and at the Moonsiff's Court, (if there be one,) and Police Station within the limits of which the lands are situate. An advertisement shall also be published in the *Government Gazette* in the form A. A sum of 16 Rs. to cover all estimated expenses connected with advertising, shall be paid by the applicant in advance at the time of application.†

6. If the Collector be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. The sum to be deposited for survey, &c., will be calculated at the rate of 6 annas an acre for grants estimated at less than 1,000 acres in area, and at the rate of 4 annas for larger grants. The sum so calculated will be taken in full payment of the expense of actually surveying the lands; but the cost of clearing the boundaries, which will be estimated by the Collector, is to be deposited in addition to the survey expenses calculated as above. On the completion of the survey, the advertisement of sale shall be published as above.

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* A Collector can only receive applications under these Rules for lands situate within the limits of his District, as shewn in the Revenue Survey Map of the District, when such a Map is in existence, or, where the District has not been surveyed, as defined by Act VI of 1853. A Collector has no jurisdiction of any kind under these Rules over any lands lying beyond the limits of his District thus defined, and any proceedings taken by him in respect of lands so situate are null and void, and shall be immediately, and at any time, set aside by the Commissioner with or without appeal, any thing contained in Rule 20 notwithstanding.—C. O. No. 77, dated 8th December 1863.

† All sums received for advertisement expenses under this Rule are to be credited in account in a separate entry as "Waste Land Advertisement Expenses" under "XV. Miscellaneous," and all expenditure for local advertisements, &c., is to be included in the Office Contingent Bill, and, when passed, debited in a separate entry, with the same title, under "F. IX." Local Officers will not remit the cost of advertising in the *Government Gazette* to the Printer, as arrangements have been made for paying this charge in Calcutta.

7. The day of sale under Section i., Act XXIII. of 1863, must not be less than three months after the issue of the notice. Collectors will, on no account, except under special instructions from the Board, fix a later date than the first monthly sale-day, after the expiration of the third month from the issue of the notice. Sales shall be held on the 2nd of each month, or on the first day after that date on which the Collector's Office may be open, unless the Collector shall, with the sanction of the Commissioner, for special reasons, fix a later date in the month; when, for any reason, a sale is deferred from the date originally fixed in the advertisements, notice of the date to which it is deferred will be given by an advertisement at the Collector's Office. If the day to which the sale is postponed be more than 15 days after the date originally fixed, the date to which it is deferred shall be published in the manner prescribed by Rule 5 for the original notification of the day of sale. In this case, all expenses of advertisement shall be borne by the Government. The cost of survey and advertisement will be payable by the highest bidder in addition to the upset price. Immediately on the conclusion of the sale, the highest bidder (if he be not the original applicant,) shall deposit a sum equal to four annas an acre on the whole area of the lot. In default of immediate payment of this deposit, the Collector may at once re-sell the lot. If he think it necessary, he may refuse to recognize any bid which is not supported by the deposit of the amount required by this Rule. Immediately a sale is made, it shall be entered in a Register (Revenue Form No. 39.)

8. If, before the day of sale, no claim to proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid. No claim, except a claim to proprietary right in the land, is one which, if well founded, will of itself operate to stay a sale. Claims of occupancy or user, if proved, may be met, and will probably, in most cases, be met, by selling the land subject to condition or reservation. But if objections be taken to the sale on the ground that it will interfere with the due exercise of such alleged rights of occupancy or user, the question whether such objection ought to operate as a bar to a sale subject to condition or reservation, is a question for the Collector to decide under Section iv. of the Act. Collectors, however, in deciding such questions, should take care that no unnecessary obstruction is thrown in the way of the free disposal of waste lands belonging to the State, and that no such objection be allowed to stop a sale, unless it be clearly shown that the interest of the objectors will be materially and injuriously affected by the transfer of the land from the Government to a private purchaser. Collectors should also endeavour to facilitate compromise between intending purchasers and objectors of this

class. The Collector will be careful, at the time of selling, to make known the rights subject to which the lot is sold, and also that the Government reserve the right of using all streams and canals for public traffic, for which purpose a tow-path, twenty feet in width, will be reserved on each side of each stream and canal, as defined in the Forms of Deeds of Transfer referred to in Rule 9.

9. On payment of one-tenth of the purchase-money and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed signed by the Collector, conveying to him the lot, in full hereditary and transferable proprietary right, free, for ever, from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, and to any other claim, whether of the Government or otherwise, that may have been or may hereafter be established in any Court of competent jurisdiction. Forms of Deeds will be found in the Appendix as follows:—

Form D.—For sale of waste lands where the consideration is paid in full at the time.

Form E.—To be endorsed on Form D. where the grant is made before survey and the whole of the estimated purchase-money is paid at once.

Form F.—To be endorsed on Form D. where the land has been surveyed before grant, but the whole purchase-money is not paid at the time of sale.

Form G.—To be endorsed on Form D. where the grant is made before survey, and where the whole purchase-money is not paid at once.

Form H.—For redemption of land revenue.

Form I.—To be endorsed on Form H. where the whole commutation money is not paid at once.

10. If, before the day of sale, a claim to proprietary or occupative right in any part of the land be preferred, the Collector shall proceed as directed in Sections ii., iii., and v., Act XXIII. of 1863. In Non-Regulation Districts, where the duties of Judge as well as Collector are vested in the Deputy Commissioner, it will generally be convenient that the preliminary enquiry be carried on by the Assistant Commissioner, vested with the powers of a Deputy Collector, as the Deputy Commissioner may subsequently be required to sit as a Judge in the same case in a Court constituted under Section vii.

11. Should the sale have been deferred under Section iii., in consequence of an objection having been made, and should such objection be eventually overruled, either by an order of the Revenue Authorities, which has become final under Section v., or by a decision of the Special Court, the Collector shall issue a second Notification of sale in the annexed Form B. This Notifica-

tion shall be issued in the manner prescribed for the first notice by Rule 5, above, at the expense of the applicant. A form of notice C. is annexed, intimating to a claimant or objector, as required by Section v. of the Act, that his claim or objection has been rejected by the Collector.

12. If the Collector shall consider the claim or objection to be established, and that the sale or other disposition of land should not take place, he shall stop the sale or other disposition of land as directed in Section iv. of the Act. If the application for purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

13. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

14. On being put in possession of the lot, the purchaser shall be bound to erect as many substantial permanent boundary marks, in such a manner, and within such given time, as the Collector may think necessary. If the purchaser neglect to do so, the Collector may have it done and recover the cost by sale of the lot under the rules in force, at the time being, for the sale of estates on account of arrears of revenue due from other estates.

15. The purchaser may, if he choose, pay the whole of the purchase-money when the lot is sold or the deed delivered to him. Or, if he choose, he may pay a portion, not being less than ten per cent., at the time of sale, and the remainder in instalments at any future time, not being more than ten years from the date of sale. In the latter case simple interest, at the rate of ten per cent. a year, will be charged on the unpaid portion of the purchase-money, and the whole lot will remain hypothecated as security, for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Collector, if the said amount be not paid within the stipulated period

The interest due for any year or a part of year under this Rule shall be payable on or before the 15th of May, and if the amount be not paid on that date, the Collector may realize the amount by sale of the lot under the rules in force at the time being for the sale of estates on account of arrears of revenue due from other estates. Any balance of the purchase-money which may not have been paid up before the 15th of May of the tenth year following that of the sale, may be realized in the same manner as an arrear of interest outstanding on that date, the proceeds of the sale shall be applied, in the first instance, to the payment of the costs of sale and to the satisfaction of the demand of Government. The surplus shall be payable to the late registered proprietor or proprietors, on their joint receipt.

16. If the purchaser fails to pay one-tenth of the purchase-money and all other expenses within three months from the day

of sale, the lot will be put up to sale again, on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

17. The upset price will be calculated on the whole area of the lot without any deduction on any account whatever. Ordinarily, the upset price will be two rupees eight annas an acre, but in special cases, the Collector, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that the upset price of available waste lands shall in no case exceed ten rupees an acre.

Where the Collector is of opinion that, for special reasons, a higher upset price than Rs. 2-8 an acre should be put upon the lot, he will, as soon as the application is made, submit a report for the orders of the Commissioner. From Darjeeling such reports will be made to the Board. In considering the upset priee to be fixed, Collectors will not overlook the value of the trees on the land applied for.

18. If it should, at any time, be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the Collector may, on the application of any one of the parties, re-adjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot, will be refunded to him with simple interest at 10 per cent.

The sum to be refunded will be calculated on the average price paid per acre, excluding the cost of survey and advertisement.

19. All grants of waste land, already made for a term of years, under previously existing rules, in which no right of occupancy or proprietorship exists, except that of the grantee or that derived from him, will be treated for the purposes of this rule as if the land were permanently settled; and the grantees, or their representatives, may redeem the future land revenue of such grants, or of any compact part of them, in perpetuity, for an amount equal to the present value of all future stipulated annual payments calculated at five per cent. interest, provided the said amount is not less than two rupees eight annas an acre on the whole area of which the revenue is redeemed. Tables, for use in commuting existing Sunderbans, Assam, and Cachar Grants to rent-free tenures, will be found in the Appendix marked (K.) The grants are treated as if they were permanently settled at the highest specified annual rate payable under the stipulations of the lease under which they are given, *viz.*, in the Sunderbans at 2 annas a bígá, and in Assam and Cachar, at 6 annas an acre. The Tables show the actual sum payable, in any year of the currency of a grant, in order to redeem all future payments, and to convert

the grant into an absolutely rent-free tenure. The sum payable will be the same, whether the commutation be made early or late in any given year of the currency of a lease; that is, assuming a lease to have been given on the 1st of March, the amount payable for redemption will be the same, whether the commutation be made on the 1st of March of any given year or on the 28th of February of the following year or at any intermediate date. It will be at the option of grantees to pay the full amount due on the commutation at once, or instalments under the conditions given in Rule 15. The permission to redeem accorded by these Rules, does not in any way affect the obligation of the grantees to fulfil, up to the date of commutation, the conditions on which grants of land in the Sunderbans, or in Assam and Cachar, have been made under the old Rules. Before a grantee can establish a right to redeem future payments of revenue of the whole or any part of his grant, he is bound to show that he has complied with the conditions on which the grant was made, by having cleared the required proportion of the lands comprised in it. Local Officers are therefore not authorized to allow commutations, except in cases in which it has been ascertained that the full area required had been cleared up to the period when the lot was last subject to inspection under the terms of the lease. The Board are however vested with a discretion to show consideration to grantees who may have been prevented from clearing their lots by circumstances beyond their control, or by difficulties which could not have been foreseen; and they will be prepared, on the reports of local officers, to waive the strict fulfilment of the conditions of the grant, where the circumstances are such as would have induced them, under the old Rules, to abstain from enforcing the penalty either by total or by partial resumption.

NOTE.—*Lieutenant Governor agrees that a grant under the old Rules should be held to begin from the date of the commencement of the lease, and commutations should be made according to the terms of the lease.—G. O. No.* 1365, *dated 5th April* 1864.

20. All sales of waste land and all redemptions made under these rules in each Division will be reported immediately to the Board of Revenue in the from of an extract from Register No. 39 (Revenue Registers), but no sale of waste lands once made by a Collector in conformity with these rules, within the limits of his district, as defined in Rule 4, will be disturbed by any higher executive authority.

21. Reserves of grazing and forest land for the growth of firewood near towns and stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. Lists of some of these lands have been published in the *Gazette*.

Until the list of lands to be reserved in a district be published, the Collector will reserve *all* forest lands, that is lands on which valuable timber is growing.

22. In Darjeeling and Cachar the Superintendents, in Assam, Chota Nagpore, and the Sonthal Pergunnahs, the Deputy Commissioners, and in the Sunderbans the Commissioner will perform the duties of Collectors under these Rules.

23. Waste lands shall not be granted, and the redemption of the Land Revenue assessed upon such lands already granted, shall not be permitted except in accordance with these Rules.

FORM A.

Referred to in Rule 5.

NOTICE.

Sale of Waste Lands.

Notice is hereby given that a lot of waste land, consisting* of about acres, situate in Zillah , and bounded as shown at the foot of this Notice, having been applied for under the "Rules for the sale of unassessed Waste Lands in the Lower Provinces of Bengal," will be put up to sale by auction to the highest bidder above the upset price of Rupees an acre, on the day of 18 , at the Office of the of , should no objection be preferred such as to render it necessary to defer the sale under the provisions of Act XXIII. of 1863. The sale will be made in the manner and subject to the conditions prescribed by the Rules above cited, and to the provisions of Act XXIII. of 1863.

* If the land has not been regularly surveyed, say, "estimated to consist of about acres."

Dated } A. B.,
Collector.

Boundaries of the Lot.

FORM B.

Referred to in Rule 11.

NOTICE.

Sale of Waste Lands.

Notice is hereby given that a lot of waste land, consisting* of about acres, situate in Zillah , and bounded as shown at the foot of this Notice, has been applied for under the "Rules for the sale of unassessed lands in the Lower Provinces of Bengal." All claims and objections

* If the land has not been regularly surveyed, say, "estimated to consist of about acres."

in bar of the sale having been finally disposed of under the provisions of Act XXIII. of 1863, the said lot will be put up to sale by auction to the highest bidder above the upset price of Rupees an acre, on the day of 18 , at the Office of the of . The sale will be made in the manner and subject to the conditions prescribed by the Rule above cited, and to the provisions of Act XXIII. of 1863.

Dated } A. B.,
Collector.

Boundaries of the Lot.

FORM C.

Prescribed in Rule 11.

Notice of Collector's Order rejecting a claim or objection preferred against the sale of lands applied for, as prescribed in Section v., Act XXIII. of 1863.

Whereas, you , resident of , made an objection before the against the sale of certain waste lands as described below, and whereas your claims and objections having been considered under Section ii, Act XXIII. of 1863, it has been ordered that the said lands be sold, copy of the order directing the sale is herewith delivered to you, under Section v. of the above-mentioned Act; and you are desired to take notice that, under the provisions of that Section, the said order will become final at the end of one week from the date of receipt of this notice unless within that time you give notice to the that you intend to contest the said order before the Commissioner of Revenue.

Dated } A. B.,
Collector.

FORM D.

Prescribed in Rule 9.

*For sale of waste lands where the consideration is paid in full at the time.**

The Serectary of State for India in Council, in consideration of the sum of Rupees paid by A. B. into the hands of the of (as appears by the receipt hereon endorsed), *and of such further sums, if any, to be paid by the said A. B. as upon a survey hereinafter mentioned, shall be found to be the true value at the rate of per acre of the actual area comprised in*

A counterpart of this is to be executed by the purchaser on paper bearing a stamp of the value of 1 Rupee, under Clause 36 of Schedule A. annexed to Act X. of 1862.

* If the land has been surveyed, omit all the italicised portions of this Deed.

this grant, doth, in virtue of all powers and authorities enabling him in that behalf, and so far as he lawfully can or may, by these presents, grant and convey unto A. B. and his heirs all that Lot No of unassessed *and unsurveyed* waste land *estimated to contain* [comprising] || acres, situate and being at in the Province of , and bounded [here give the boundaries]

which said waste lands are roughly delineated in the map or plan drawn on the fly-leaf hereof and are hereafter to be surveyed and measured by persons authorized by Government in that behalf, [as the same has been surveyed and demarcated] || together with all rights of forest, pasturage, mines, fisheries and all other the proprietary right and interest of the said Secretary of State in Council in and over the soil of the said lands hereinbefore mentioned, (except as hereinafter excepted)‡. To HAVE AND TO HOLD the said lands and premises hereby granted unto, and to the use of, the said A. B., his heirs, representatives, and assigns, for ever free from all present or future demand on account of Government land revenue, but subject† [to the right of X. Y., to occupy the said lands (or "to occupy bígáhs of land") situate within the limits of the said grant as delineated in the map or plan drawn in the margin hereof, for the term of at the rent of (or "rent-free,") and also subject]‡ to all general taxes and local rates now or hereafter to be imposed by law in respect thereof, and to all claims of the Government of India, or Government of Bengal in respect of such land other than claims of Government land-revenue. EXCEPT AND ALWAYS RESERVED to the said Secretary of State in Council, his successors, and assigns, out of the grant hereby made, a strip of land, at least twenty feet in width, along each bank of every navigable river, or stream, (if any), which now, or at any time hereafter, shall flow within the limits of the said grant: and EXCEPT AND RESERVED ALSO to the said Secretary of State in Council, his successors, and assigns, and to all other persons the right of freely using any such river or stream for purposes of navigation or irrigation, or the transport of timber or other property, or other purposes of general utility, and the said A. B. for himself and his heirs, representatives, and assigns, hereby covenants with the said Secretary of State in Council, his successors, and assigns, that he, the said A. B., will, within months after *the said survey shall have been completed as aforesaid*

† Where a right of proprietorship is established, the lands conveyed must be marked out exclusive of such area, but where any limited right short of that of proprietorship is reserved, it must be distinctly described in this place.

‡ Where no limited rights whatever are reserved, the words within brackets are to be omitted altogether.

|| Omit if the land is unsurveyed.

[being put in possession]* of the said lands, erect, at his own expense, such and so many substantial boundary marks on the lands hereby granted, as, by the of the District for the time being, shall be required to be erected, and further that, in the event of any dispute arising regarding the boundaries of the lands hereby granted, and any adjoining lands heretofore or hereafter to be granted or sold by the said Secretary of State in Council, it shall be lawful for the or other Officer exercising Revenue powers in the District for the time being, to enter on the lands hereby granted, and re-adjust the boundaries of the same and the adjoining lands aforesaid, and that the decision of the or other Revenue Officer, provided that he be not below the grade of Collector, in such cases, shall be final and binding on the said A. B., his heirs, representatives, and assigns. In witness whereof, C. D., Esq., at present of the District of by order and under authority of the Hon'ble Lieutenant Governor of Bengal, (acting in the premises for and on behalf of the said Secretary of State in Council), and the said A. B., have hereunto set their respective hands, and seals, this day of One Thousand Eight Hundred and Sixty

Signed, sealed, and delivered.

FORM E.

To be endorsed on both parts of D. where the grant is made before survey and the whole of the estimated purchase-money is paid at once.

Whereas, on the occasion of the grant within-mentioned, the exact area of the waste lands sold had not been ascertained by survey, and it was therefore agreed that the excess, if any, of the exact area, which, on a survey by the Officers of Government, should be found to exist over the estimated quantity within-mentioned, should be paid for at the within rate, and, in the meantime, secured as hereinafter provided. NOW THESE PRESENTS witness that, in consideration of the premises, the said A. B. for himself, his heirs, and representatives, doth covenant with the Secretary of State for India in Council, his successors, and assigns, forthwith after the said survey shall have been completed, on demand, to pay into the treasury of the of the excess, if any, of the value, at the rate of per acre, of the actual area found, on such survey, as aforesaid, to exist over and above the sum of Rupees within-mentioned, and the said A. B. doth hereby grant and confirm to the said Secretary of State in Council, his successors, and assigns, the whole of the

* Omit if the land is unsurveyed.

within-mentioned lands and premises as, and by way of, security for the payment of the money hereby covenanted to be paid PROVIDED THAT, if default shall be made in payment thereof according to the said covenant, it shall be lawful for the said Secretary of State in Council, his successors, or assigns, acting through the of [the District in which the said lands are situate] or other authorized officer, forthwith, and without further consent of, or notice to, the said A. B., or any person claiming through him to sell the within-mentioned lands or any part thereof by public auction, in one or more lots, with full power to buy in the said premises, or any part thereof, at any such sale, and to re-sell the same, without being responsible for any loss thereby, and, for the purposes aforesaid, to make and execute all necessary instruments of sale: and no purchaser at any such sale shall be bound to see or enquire whether default in payment has been made by the said A. B., or whether any money remains due on this security; and the receipt in writing of the said or other authorized officer for the purchase-money of the premises sold, shall be a good discharge to the purchaser. And it is hereby agreed that the said Secretary of State in Council shall hold the proceeds of sale upon trust to pay all expenses of, or incident to, such sale or sales, or the exercise of the aforesaid power, and then to apply such monies in or towards satisfaction of what may be due upon the security of these presents, and afterwards to pay any surplus to the said A. B. In witness whereof, the said A. B. has hereunto set his hand and seal, this day of One Thousand Eight Hundred and Sixty

Signed, sealed, and Delivered.

N. B.—This endorsement on the part of the deed which is signed by the Collector, must bear the same stamp as a deed of mortgage securing the same amount would require.

FORM F.

Prescribed in Rule 9.

To be endorsed on both parts of D. in cases where the land has been surveyed before grant, and where the whole purchase-money is not paid at the time of sale, but is secured as provided by Rule 15.

Whereas, on the sale of the within-mentioned waste lands *one-tenth** only of the purchase-money within-mentioned was paid by the within-named A. B., and it was agreed that the residue thereof should be paid by such instalments, with interest, as are hereinafter mentioned, such payments to be secured to the Secretary of State in Council as hereinafter provided. Now THESE PRESENTS witness that, in consideration of the premises, the said A. B., for himself, his heirs, representatives, and assigns, doth grant and confirm unto

* As the case may be.

the said Secretary of State in Council, the within-mentioned lands with the appurtenances and all benefit and advantage thereto belonging, to hold the same unto the said Secretary of State in Council, his successors, and assigns, by way of security for the sum of Rupees being the residue of the said purchase-money; and the said A. B., for himself, his heirs, executors, administrators, and representatives, doth hereby covenant with the said Secretary of State in Council, his successors, and assigns, to pay the said residue, or sum of Rupees into the treasury of the of in instalments, such that the entire amount of the said residue, or Rupees shall be so paid on or before the 15th day of May 18* , and also on or before the 15th day of May in each year, to pay into the said treasury interest, at the rate of ten per cent. per annum, on the balance of the principal sum up to that time remaining due. Provided that, if default shall be made in payment of the interest falling due as aforesaid, at the time and in the manner hereinbefore appointed, the balance of the whole purchase-money of the said land, together with the interest then remaining unpaid, shall at once become due and payable; and, on any sum becoming so due, or for the realization of any sum remaining due on the 15th day of May 18† aforesaid, it shall be lawful for the said Secretary of State in Council, his successors, or assigns, acting through the of the District in which the said land is situate, or other authorized officer, forthwith and without further consent of, or notice to, the said A. B., his heirs, representatives, or assigns, to sell the within-mentioned land, or any part thereof, by public auction, in one or more lots, with full power to buy in the said premises, or any part thereof, at any such sale, and to re-sell the same without being responsible for loss thereby, and for the purposes aforesaid, to make and execute all necessary deeds and instruments of sale and otherwise: and no purchaser at any such sale shall be bound to see or enquire whether default in payment has been made by the said A, B., or whether any money remains due on this security; and the receipt in writing of the said or other authorized officer for the purchase-money of the premises sold shall be a good discharge to the purchaser, and it is hereby agreed and the said Secretary of State in Council, his successors, or assigns, shall hold the monies to arise from any such sale as aforesaid, upon trust, in the first place, to pay all expenses in anywise incident to such sale or sales, or the exercise of the aforesaid power, and in the next place to apply such monies in, or towards, satisfaction of what may, for the time being, be due upon the security of these presents, and then, in trust, to pay the surplus (if any,) to the said A. B., his heirs,

*Here enter the tenth year from the date of the sale.

† Here enter the tenth year from the date of sale.

representatives, or assigns. In witness whereof, the said A. B. has hereunto set his hand and seal this day of One Thousand Eight Hundred and Sixty

Signed, sealed, and delivered.

N. B.—This endorsement on the part of deed D· which is signed by the Collector, must bear the same stamp as a deed of mortgage securing the same amount would require.

FORM G.

To be endorsed on both parts of Form D. in cases where the grant has not been surveyed, and where the whole purchase-money is not paid at the time of sale, but is secured as provided by Rule 15.

Whereas, on the occasion of the grant within-mentioned, the exact area of the waste lands sold has not been ascertained by survey, and moreover, *one-tenth** only of the estimated purchase-money within-mentioned was paid by the within-named A. B., and it was agreed that the excess, if any, of the actual area which, on a survey by the officers of Government, should be found to exist over the estimated area within-mentioned, should be paid for at the within rate, and that the balance of purchase-money should be paid by such instalments, with interest, as are hereinafter mentioned, and that the whole should be secured as hereinafter provided. Now THESE PRESENTS witness that, in consideration of the premises, the said A. B. doth, for himself, his heirs, and representatives, covenant with the Secretary of State for India in Council, his successors, and assigns, forthwith, after the said survey shall have been completed, on demand, to pay into the treasury of the of the excess, if any, of the value at the rate of per acre of the actual area found, on such survey, as aforesaid, to exist over and above the sum of Rupees within-mentioned, and further to pay into the said treasury the sum of Rupees† being the remaining nine-tenths‡ of the estimated purchase-money of the within lands, at the rate aforesaid, in instalments such that the entire amount of the said residue, or Rupees shall be so paid on or before the 15th day of May, 18§ and also, on or before the 15th day of May, in each intermediate year, to pay into the said treasury, interest, at the rate of ten per cent. per annum, on the balance of the principal sum up to that time remaining due: and, in consideration of the premises, the said A. B. doth hereby grant and confirm to the said Secretary of State in Council, his successors, and assigns, the whole of the within-mentioned lands and premises as, by way of, security for the monies hereinbefore covenanted to be paid.

* As the case may be.

† The sum paid for estimated value less the 1st instalment paid down.

‡ As the case may be.

§ Here enter the tenth year from the date of the sale.

PROVIDED that, if default shall be made in payment of the interest falling due as aforesaid, at the time and in manner hereinbefore appointed, the balance of the whole purchase-money of the said land, together with the interest then remaining unpaid, shall at once become due and payable; and, on any sum becoming so due or for the realization of any sum remaining due on the 15th May 18* aforesaid, or in default of payment, on demand, of the excess value after survey, over the estimated value within-mentioned, according to the aforesaid covenant, it shall be lawful for the said Secretary of State in Council, his successors, or assigns, acting through the of the district in which the said land is situate, or other authorized officer, forthwith, and without further consent of, or notice to, the said A. B., or any person claiming through him, to sell the within-mentioned land, or any part thereof, by public auction, in one or more lots, with full power to buy in the said premises, or any part thereof, at any such sale, and to re-sell the same, without being responsible for loss thereby, and, for the purposes aforesaid, to make and execute all necessary instruments of sale and otherwise: and no purchaser at any such sale shall be bound to see or enquire whether default in payment has been made by the said A. B., or whether any money remains due on this security; and the receipt in writing of the said or other authorized officer, for the purchase-money of the premises sold, shall be a good discharge to the purchaser; and it is hereby agreed that the said Secretary of State in Council shall hold the monies to arise from any such sale as aforesaid, upon trust to pay all expenses of or incident to such sale or sales, or the exercise of the aforesaid power, and then to apply such monies in, or towards, satisfaction of whatever sum may be remaining unpaid by the said A. B., in respect of the purchase of the said lands, together with interest at the rate aforesaid, and then in trust to pay the surplus (if any,) to the said A. B., his heirs, representatives, or assigns. In witness whereof the said A. B. has hereunto set his hand and seal this day of

One Thousand Eight Hundred and Sixty

Signed, sealed, and delivered.

N. B.—The note to form F. is applicable to this endorsement.

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* Here enter the tenth year from the date of the sale.

FORM H.

Prescribed in Rule 9.

For redemption of land-revenue.

The Secretary of State for India in Council, in consideration of the sum of Rupees paid by A. B. into the hands of the of (as appears by the receipt hereupon endorsed), doth, by these presents, acquit, release and for ever discharge, all that land consisting of acres, situate and being at , and bounded being parcel of a grant, formerly waste, heretofore made to , from the payment, from henceforth, of all Government land-revenue accruing, or, which, but for these presents, would have accrued, in respect of the said land hereby released, or any part thereof, and to the intent that the same land may hereafter be held by the owners thereof, for the time being, for ever freed of all Government land-revenue, but subject to all general taxes, and local rates now, or hereafter to be, imposed by law in respect thereof, and to all claims of the Government of India, or Government of Bengal in respect of such land, other than claims of Government land-revenue.

Counterpart of this deed will be executed by the purchaser on paper bearing a stamp of 1 Rupee, under clause 36 of schedule A., annexed to Act X. of 1862.

In witness whereof, C. D., Esq., of the District of for the time being, under authority of the Hon'ble Lieutenant Governor of Bengal, (acting in the premises for, and on behalf of the said Secretary of State in Council,) has hereunto set his hand and seal this day of One Thousand Eight Hundred and Sixty

Signed, sealed, and delivered.

FORM I.

Prescribed in Rule 9.

To be endorsed on both parts of Form H. in cases where the whole commutation-money is not paid at the time of redemption, but is secured.

Whereas, on the redemption of the within mentioned Government land-revenue, one-tenth* only of the commutation or consideration-money within-mentioned, was paid by the within-named A. B., and it was agreed that the residue thereof should be paid by such instalments, with interest, as are hereinafter mentioned, such payments to be secured to the Secretary of State in Council as hereinafter provided: NOW THESE PRESENTS witness that, in consideration of the premises,

* As the case may be.

the said A. B. doth grant and confirm unto the said Secretary of State in Council the within-mentioned lands with the appurtenances, and all benefit and advantages thereto belonging: to hold the same unto the said Secretary of State in Council, his successors, and assigns, by way of security for the sum of Rupees , being the residue of the said commutation-money, and the said A. B, for himself, his heirs, executors, administrators, and representatives doth hereby covenant with the said Secretary of State in Council, his successors and assigns, to pay the said residue or sum of Rupees into the treasury of the of in instalments such that the entire amount of the said residue or Rupees shall be so paid on or before the 15th of May 18 * ; and also, on or before the 15th May in each intermediate year, to pay into the said treasury interest, at the rate of 10 per cent. per annum, on the balance of the principal sum up to that time remaining due. PROVIDED that, if default shall be made in payment of the interest falling due, at the time, and in manner hereinbefore appointed, the balance then unpaid of the whole commutation-money or sum of Rupees , at which the said Government land revenue was redeemed, together with the interest then remaining unpaid, shall at once become due and payable; and, on any sum becoming so due, or for the realization of any part of the purchase-money remaining due on the 15th May 18 † aforesaid, if shall be lawful for the said Secretary of State in Council, his successors or assigns, acting through the of the District in which the said land is situate, or other authorized officer, forthwith, and without further consent of, or notice to, the said A. B., his heirs, representatives, or assigns, to sell the within-mentioned land, or any part thereof, by public auction, in one or more lots, with full power to buy in the said premises, or any part thereof, at any such sale, and to re-sell the same, without being responsible for loss thereby, and, for the purposes aforesaid, to make and execute all necessary deeds and instruments of sale and otherwise: and no purchaser, at any such sale, shall be bound to see or enquire whether default in payment has been made by the said A. B., or whether any money remains due on this security; and the receipt in writing of the said or other authorized officer for the purchase-money of the premises sold shall be a good discharge to the purchaser; and it is hereby agreed that the said Secretary of State in Council, his successors, or assigns, shall hold the monies to arise from any such sale as aforesaid, upon trust, in the first place, to pay all expenses in anywise incident to such sale or sales, or the exercise of the aforesaid power, and in the next place, to apply such monies in, or towards, satisfaction of what may, for the time being, be due upon the

* Here name the 10th year from the date of sale.

† Name the 10th year.

security of these presents and then, in trust to pay the surplus (if any) to the said A. B., his heirs, representatives, or assigns. In witness whereof, the said A. B. has hereunto set his hand and seal this day of One Thousand Eight Hundred and Sixty

Signed, sealed, and delivered.

N. B.—This endorsement on the part of Deed 9, which is signed by the Collector, must bear the same stamp as would be required for a deed of mortgage securing the amount.

Appendix K.

Tables showing the amount to be paid for the redemption of the future land-revenue of grants of Waste Land in the Sunderbans, and in Assam, and Cachar, in any year during the currency of the Grants, according to Rule 19.

I.

SUNDERBANS GRANTS.

CONDITIONS.	AMOUNT TO BE PAID							
	For every rupee of permanently assessed Revenue, *i. e.*, of the highest revenue payable in any year after the 50th.					For every bighá of Assessed Land.		
1.	2.	3.	Rs.	As.	P.	4.	Rs.	As.	P.
Rent-free term, 20 years. Revenue from 21st to 30th year, ½ anna per Bighá. Revenue from 31st to 40th year, 1 anna per Bighá. Revenue from 41st to 50th year, 1½ anna per Bighá. Revenue from 51st in perpetuity, 2 annas per Bighá. Currency of grant runs from date of lease, not date of occupancy. G. O. No. 1365, dated 5th April 1864.	For the first 16 years.	88	8	14	2	11	1	1	10
	17th	9·140966	9	2	3	1·142621	1	2	3
	18th	9·598014	9	9	7	1·199752	1	3	2
	19th	10·077914	10	1	3	1·259739	1	4	2
	20th	10·581810	10	9	4	1·322726	1	5	2
	21st	11·110901	11	1	9	1·388863	1	6	3
	22nd	11·416446	11	6	8	1·427056	1	6	10
	23rd	11·737268	11	11	10	1·467158	1	7	6
	24th	12·074131	12	1	2	1·509266	1	8	2
	25th	12·427838	12	6	10	1·553480	1	8	10
	26th	12·799230	12	12	9	1·599904	1	9	7
	27th	13·189191	13	3	0	1·648649	1	10	5
	28th	13·598651	13	9	7	1·699831	1	11	2
	29th	14·028584	14	0	5	1·753573	1	12	1
	30th	14·480013	14	7	8	1·810002	1	13	0
	31st	14·954014	14	15	3	1·869252	1	13	11
	32nd	15·201714	15	3	3	1·900214	1	14	5
	33rd	15·461800	15	7	5	1·932725	1	14	11
	34th	15·734890	15	11	9	1·966861	1	15	6
	35th	16·021634	16	0	4	2·002704	2	0	1
	36th	16·322716	16	5	2	2·040339	2	0	8
	37th	16·638852	16	10	3	2·079856	2	1	3
	38th	16·970795	16	15	6	2·121347	2	1	11
	39th	17·319334	17	5	1	2·164917	2	2	8
	40th	17·685301	17	11	0	2·210663	2	3	4
	41st	18·069566	18	1	1	2·258696	2	4	2
	42nd	18·223044	18	3	7	2·277880	2	4	5
	43rd	18·384197	18	6	2	2·298025	2	4	9
	44th	18·553407	18	8	10	2·319176	2	5	1
	45th	18·731077	18	11	8	2·341385	2	5	6
	46th	18·917631	18	14	8	2·364704	2	5	10
	47th	19·113512	19	1	10	2·389189	2	6	3
	48th	19·319188	19	5	1	2·414898	2	6	8
	49th	19·535147	19	8	7	2·441893	2	7	1
	50th	19·761906	19	12	2	2·470238	2	7	6
	51st and for ever.	20	20	0	0	2·5	2	8	0

Appendix K.—*(Continued.)*

Assam and Cachar Grants.

CONDITIONS.	Amount to be Paid							
	For every rupee of permanently Assessed Revenue.					For every acre of Assessed Land.			
1.	2.	3.	Rs.	As.	P.	4.	Rs.	As.	P.
Rent-free term, fifteen years. Revenue from 16th to 25th year, 3 annas per acre. Revenue from 26th in perpetuity, 6 annas. From date of lease.	For the first 3 years.	88	8	14	2	33	3	5	4
	,, 4th ,,	8·986872	8	15	9	3·370077	3	5	11
	,, 5th ,,	9·436216	9	7	0	3·538581	3	8	7
	,, 6th ,,	9·908027	9	14	6	3·715509	3	11	5
	,, 7th ,,	10·403428	10	6	5	3·901284	3	14	5
	,, 8th ,,	10·923600	10	14	9	4·096350	4	1	6
	,, 9th ,,	11·469780	11	7	6	4·301166	4	4	10
	,, 10th ,,	12·043269	12	0	8	4·516227	4	8	8
	,, 11th ,,	12·645432	12	10	4	4·742037	4	11	10
	,, 12th ,,	13·277704	13	4	5	4·979139	4	15	8
	,, 13th ,,	13·941589	13	15	1	5·228097	5	3	8
	,, 14th ,,	14·638669	14	10	3	5·489502	5	7	10
	,, 15th ,,	15·370602	15	15	11	5·763975	5	12	3
	,, 16th ,,	16·139132	16	2	3	6·052173	6	0	10
	,, 17th ,,	16·446089	16	7	2	6·167283	6	2	8
	,, 18th ,,	16·768394	16	12	4	6·288147	6	4	7
	,, 19th ,,	17·106814	17	1	9	6·415056	6	6	8
	,, 20th ,,	17·462154	17	7	5	6·548307	6	8	9
	,, 21st ,,	17·835261	17	13	4	6·688224	6	11	0
	,, 22nd ,,	18·227024	18	3	8	6·835134	6	13	4
	,, 23rd ,,	18·638376	18	10	3	6·989391	6	15	10
	,, 24th ,,	19·070295	19	1	1	7·151361	7	2	5
	,, 25th ,,	19·523809	19	8	5	7·321428	7	5	1
	,, 26th ,, and for ever.	20	20	0	0	7·5	7	8	0

Note applicable to both tables.—The present value of the future payments of any grant or of a compact part of any grant, will be found by multiplying the full permanently assessed revenue of one year, by the number in column 3, opposite the year of the grant in which redemption is made; or by multiplying the assessed area of the grant or compact part thereof by the number in column 4.

A.

under the orders of the Governor-General in Council, No. 4206, *dated* 15*th August* 1862, *prescribed b*
in the Notification of the Government of Bengal, dated 30*th August* 1862.

4.	5.	6.	7.	8.	9.	10.	11.
. borne by plot on Register No. 1 of available aste Lands.	Pergunnah, Thannah, or other Local Sub-Division in which situated.	Mouzah.	Estimated Area of the Grant; with its boundaries or other descriptive particulars.	Estimated Cost of Survey, Clearances, and publication of notifications.	Date of the amount in Col. 8, being deposited.	Date of completion of Survey.	Date of issu Notificatio sale at C lector's Of

B.

ade under the Notification of the Government of Bengal, dated 30th August 1862, and the Board's Circ
in the Districts of

	5.	6.	7.	8.	9.	10.	11.	12.
an- in l.	Mouzah.	Area and Boundaries of the Plot, as ascertained by Survey.	Date of Sale.	Name and Residence of Purchaser.	Date of possession being given.	Amount paid for Survey and Advertisement.	Price for which sold.	Dates of ins ments of t price being with amou (N. B, Inte payments n be shewn h

FORM C.

REFERRED TO IN SUPPLEMENTARY RULE D.

NOTICE.

SALE OF WASTE LANDS.

NOTICE is hereby given that a lot of Waste Land, consisting of about acres, situated in · Zillah , and bounded as shown at the foot of this notice, having been applied for by under the notification of the Government of Bengal, dated 30th August 1862, and the Circular Order of the Board of Revenue, L. P., No. 63, dated 14th October 1862, will be put up to sale by auction to the highest bidder, above the upset price of Rs. an acre, on the day of 18 at the Office of the Collector of The sale will be made in the manner, and subject to the conditions prescribed by the Government Order and Circular Order above cited.

A. B.,

Collector.

Boundaries of the Lot.

CIRCULAR ORDER OF THE BOARD OF REVENUE, L. P.

No. 63½.

Dated 23rd December 1862.

TO ALL COMMISSIONERS AND DISTRICT REVENUE OFFICERS.

Land Revenue,

W. J. ALLEN, A. GROTE, and E. T. TREVOR, Esqrs.

THE following should be substituted for Supplementary Rule L. to Rule 19 of the Board's Circular Order No. 63, dated 14th October 1862.

SUPPLEMENTARY RULE L.

"A Table is annexed for use in commuting existing Soonderbuns, Assam, and Cachar Grants to rent-free tenures. The Grants are treated as if they were permanently-settled at the highest specified annual rate payable under the stipulations of the lease under which thay are given, *viz.*, in the Soonderbuns at two annas a beegah, and in Assam and Cachar at six annas an acre. The Table shews the actual sum payable in any year of the currency of a Grant in order to redeem all future payments, and to convert the Grant into an absolutely rent-free tenure. The sum payable will be the same, whether the commutation be made early or late in any given year of the currency of a lease, that is, assuming a lease to have been given on the 1st of March, the amount payable for redemption will be the same, whether the commutation be made on the 1st of March of any given year or on the 28th of the following February, or at any intermediate date. It will be at the option of Grantees to pay the full amount due on the commutation at once, or in instalments under the conditions given in Rule 15 and Supplementary Rule I. The permission to redeem accorded by these Rules does not in any way affect the obligation of the Grantees to fulfil, up to the date of commutation, the conditions on which grants of land in the Soonderbuns or in Assam and Cachar have been made under the old Rules. Before a Grantee can establish a right to redeen future payments of revenue of the whole or any

NOTE.—The Circular Order should be bound up next to No. 63, and references should be made to it in manuscript against Supplementary Rule L., and Form of Notice C. of Circular Order No. 63.

part of his Grant, he is bound to shew that he has complied with the conditions on which the Grant was made, by having cleared the required proportion of the lands comprised in it. Local Officers are therefore not authorized to allow commutations, except in cases in which it has been ascertained that the full area required had been cleared up to the period when the lot was last subject to inspection under the terms of the lease. The Board are, however, vested with a discretion to shew consideration to Grantees who may have been prevented from clearing their lots by circumstances beyond their control, or by difficulties which could not have been foreseen; and they will be prepared, on the reports of local Officers, to waive the strict fulfilment of the conditions of the Grant where the circumstances are such as would have induced them, under the old Rules, to abstain from enforcing the penalty either by total or by partial resumption."

2. The following alteration will be made in the form of Notice marked C., referred to in supplementary Rule D, and annexed to Circular Order 63 :—

For "having been applied for by ——— under the Notification," &c., read "having been applied for under the Notification," &c. The name of the applicant will not be given in these Notices.

By Order of the Board of Revenue, L. P.

H. L. DAMPIER,

Secretary.

From the Hon'ble A. Eden, Officiating Secretary to the Government of Bengal, to C. B. Stewart, Esq.—(*No.* 2120, *dated the* 19*th September* 1862.

I AM directed to forward to you the orders passed by the Lieutenant-Governor on each of the four questions which you have submitted to His Honor in regard to the Rules for the sale of waste land published in the *Calcutta Gazette* of the 17th instant.

2. I am at the same time to inform you that the Rules, which provide for the redemption of prospective Revenue in grants of waste land already made, do not apply to the case of allotments made under the old Darjeeling Rules, these allotments being in fact not grants but sales of land at an upset price of Rupees 10 an acre.

QUESTIONS.	ANSWERS.
1. Comparing the 6th Rule with the latter part of the 12th Rule, how is an applicant to make sure that no claim of proprietorship or occupative right exists in the land he applies for? and if such claims are established, will the cost of survey required to be deposited by the applicant under Rule 6 be forfeited, as set forth in Rule 12, if the application for the purchase of the Lot be rejected?	1. There are two classes of waste lands:— (*a*). Those which have already been surveyed by the Government, and of which a correct Map is in the hands of the Collector. In this case the lands applied for can be marked off on the Map and advertised for sale, and the applicant will be put to no expense. (*b*). Those which have not yet been surveyed by the Government. In respect to these lands (which must ultimately be regularly surveyed by the Government), if an applicant desires a preliminary survey with a view to purchase, it is but fair that he should bear the expense, and that the risk of the land being adversely and successfully claimed, should be borne by him. The cost of the preliminary survey (which is to be a rough survey sufficient to ascertain gross area and identify boundaries), will not be great; and the applicant, with the assist-

QUESTIONS.—*(Continued.)*

2. By the old Rules one-fourth of the whole area of a grant was permitted to be held rent-free in perpetuity as an allowance for unculturable land. I presume under the 17th Rule of the Notification no such deduction will be allowed.

3. What interpretation does the 19th Rule bear as regards holders of old grants in Bengal?

I apprehend that the redemption of the Land Revenue of such old grants will be regulated on the principle upon which deferred annuities are calculated.

Will the amount of purchase money or price of redemption be ascertained on the calculation of the interest that would accrue from the amount paid up equalling the rate of assessment during a period of twenty years, or how?

ANSWERS.—*(Continued.)*

ance of the Collector, who also must be satisfied (under *Rule* 6) that adverse claims *do* not exist, may easily ascertain whether such claims are likely to be made, and admitted, or not. It is only when an application for waste lands is *absolutely* rejected that the deposit is to be forfeited; but under Rule 12, applications may be conditionally complied with, and the projected Law will afterwards render the sale of adverse rights compulsory.

2. No deduction will be made on account of unculturable land.

3. The redemption of future payments of revenue will be calculated precisely as an Actuary would calculate the present value of a deferred annuity with interest at 5 per cent.

Thus, if a beegah of land is held rent-free for twenty years, at 4 annas a year for the next twenty years, 8 annas a year for the next twenty years, and at 12 annas a year thereafter in perpetuity, the amount for which all future payments may be redeemed at once would be calculated thus :—

Present value at 5 per cent. of a deferred annuity of 4 annas from the 21st to the 40th year	...	0	0 0

QUESTIONS.—(*Continued.*)

4. With reference to the 22nd Rule, how will it apply in the following cases?

In the case of all Companies or individuals who applied for the redemption of their grants under the Resolution of the 17th October 1861, whose applications were registered by the Local Authorities, and Deposits received, but subsequently returned to the applicants?

In the case of those who applied, under the Resolution of 17th October 1861, for the redemption of their grants, whose applications were registered by the Local Authorities, but whose *Deposits* tendered at the time were refused to be received?

In the case of those who applied for grants under the Resolution of the 17th October 1861, but whose applications would neither be received or registered by the Local Authorities in terms of that Resolution, and whose applications, on such refusal, were put in under the old Rules, and granted under those Rules?

ANSWERS.—(*Continued.*)

Present value at 5 per cent. of a deferred annuity of 8 annas from the 41st to the 60th year ...	0	0	0
Ditto ditto of 12 annas from the 61st year for ever ...	0	0	0
Total ...	0	0	0

The amount will be found to be very small.

4. *1st Case.*—Registration is enough to bring these applications under the Resolution of 17th October 1861. Return of Deposit makes no difference.

2nd Case.—The same Registration alone is sufficient.

But it will be found that the terms of redemption offered by the new Rules are more favorable generally than those given by the Resolution.

3rd Case.—Those who applied under the Resolution, but whose applications were not received or registered, have no claim to receive lands under the Resolution of 17th October. The Resolution neither authorized persons to apply, nor warranted Collectors in receiving, and registering applications, till Rules should be issued by the Local Government, and no such Rules ever were issued. Still where an applicant has been led to expect, by the act of a Collector, that his application would be complied with in the terms of the Resolution, he is not to be disappointed.

Grants under the old Rules may be commuted under Rule 19.

ORDERS BY THE LIEUTENANT-GOVERNOR OF THE NORTH WESTERN PROVINCES.

NOTIFICATION.

Allahabad, 20th September, 1862.

With reference to paragraphs 8 to 37 of the Resolution of His Excellency the Viceroy and Governor General in Council, No. 3264, dated 17th October 1861, relative to the sale of waste lands in Fee-simple, as modified by the Despatch of the Right Hon'ble the Secretary of State, No. 14, (Revenue), dated 9th July 1862, the Hon'ble the Lieutenant-Governor is pleased to publish, for the information of all concerned, the following revised Rules of Procedure which have been prepared by the Sudder Board of Revenue, North-Western Provinces, and have received the approval of this Government:—

Rules of Procedure.

The attention of all Officers in charge of Districts containing unassigned waste lands is directed to the first portion of the Revenue Resolution of the Viceroy in Council, No. 3264, dated the 17th October, to the provisions of which, as modified by the further Orders of the Supreme Government, dated 15th August 1862, No. 4206, they are required to give full and immediate effect.

2. The Collector should at once proceed to prepare a Statement of all special tracts reserved from the operation of this Circular, under paragraphs 23 and 24 of the first named orders, as being required for Forest purposes, for grazing, or firewood preserves, for building sites, or for any other public object. This Statement should be exposed in his Office, and facilities should be given to intending applicants to make themselves aware of its contents.

3. When an application for the assignment of a specific tract of waste land is received, the Collector will first consider whether any objection or special limitation is required by reason of the land being required for any of the above-named purposes, and in the event of such being the case, and the applicant still prosecuting his demand, the Collector will report the matter for the information of the Commissioner.

4. In other cases he will at once proceed to enquire whether the land applied for is encumbered by any prior claim of property or occupancy.

5. Where it is evident that there exist rights of property, or of exclusive occupancy, either active or latent, the applicant will be informed that the case cannot be taken up under the Grant Rules, excepting in favour of the party originally possessed of those rights, or who has purchased them from such party. "It will be an important part of the Collector's duty to make certain that any transfer of such rights shall have been made with a complete and fair understanding on the part of all concerned."

6. In case of there being any doubt as to whether existing rights are of the exclusive character necessary to bar alienation, the Collector will report the case through the Commissioner to the Sudder Board of Revenue. If the rights claimed, though not exclusive, should appear to the Sudder Board of Revenue to be such rights of pasturage, wood cutting, turf cutting, &c., as commonly obtain in the Hill Districts, and are entitled, as "existing rights XX. in a rude form," to protection under paragraph 6 of the Resolution of the Governor General in Council, No. 3264, dated the 17th of October 1861, the Board will instruct the Collector to endeavor to bring the applicant for the Grant, and the parties who possess a right to use the spontaneous products of the soil within the tract applied for, to a mutual agreement as to the terms upon which (if any) an hereditary and transferable property in the soil may be given to the former, subject to the exercise of their customary right by the latter. If an amicable arrangement be come to, the Collector will report the particulars for the information and sanction of the Sudder Board of Revenue. Otherwise the Collector will proceed to estimate the value of the prescriptive rights, as above, on a liberal basis, and will submit the case, through the Sudder Board of Revenue, to the Government in view to the payment of full compensation.

7. Where no claims of the nature supposed are known to exist, the Collector will calculate the cost of surveying the Grant, and of erecting durable pillars of demarcation. This will be at the lowest rate for which land of the nature applied for is ordinarily surveyed in the District. But provision must be made for the measurement being accurately conducted on the plane table system, and in such wise that a correct estimate may be formed of the amount of land "uncleared," and of the amount "unencumbered with jungle," as also of the portion which may fairly be held to be unculturable. A scale of charges of Survey should be prepared and hung up in the same way as the Statement referred to in paragraph 2. The Collector will submit a copy of this scale to the Commissioner for the approval of the Board.

8. No allotment as above will be made exceeding 5,000 acres; and in the Hill Districts no grant of Tea lands shall exceed 2,000 acres. Where any special reason may exist against the assignment of so large an area, such a proximity to a Station, &c., and the Grantee may not be content with a smaller area, the Collector will report the case for orders, with his opinion as to the degree of farther limitation which is called for.

9. When the cost of Survey has been paid in, the Survey will be proceeded with forthwith, and no time should be lost in the erection of the boundary pillars.

10. Where an Estate has been already surveyed and marked off, this portion of the operations will, of course, be disposed with, and no charge will be made against the applicant further than is necessary to secure an accurate plan of the new Estate with the requisite boundary marks.

11. On the completion of the demarcation and Survey, or, in the case of surveyed land, immediately on the boundaries of the proposed Grant being marked by substantial pillars, the Collector will issue an advertisement, describing the land to be sold, stating the upset price, and specifying the place and date of sale. The period of the advertisement will be for not less than thirty days. The upset price will be fixed at Rupees 5 for cultivated and Rupees 2-8 for uncultivated land, unless for some special reason (such as proximity to a Station, valuable timber being on the land, &c.,) that rate be held to be inadequate; in the latter case the Collector will report what upset price he thinks proper, and on its being confirmed by the Board, he will prepare his advertisement accordingly.

12. The advertisement will be published in the *Official Gazette* and in two up-country newspapers, and the Collector will also cause an Istehar to be stuck up in his Office, and in the Police and Revenue posts nearest to the property, as well as in any villages on the land, or adjoining thereto. He will also, where he deems it advisable, have the purport of the application verbally explained to the inhabitants of those Villages, and to any other parties likely to be interested in the Grant.

13. Any objections to the Grant will be carefully considered and disposed of on their merits. If they are held to be valid the sale will be stayed, and the circumstances reported through the Commissioner to the Board.

14. At the sale, which will be conducted on the usual footing of an auction sale, the land will be assigned to the person offering the highest price; or, in the event of no competitors, to the applicant at the upset price, the cost of Survey (if made) being added

in both cases. In case the applicant is not the purchaser, all monies paid by him on account of Survey will be forthwith refunded to him.

15. Immediately on conclusion of the sale, the purchaser will pay down one-tenth of the sale price. On this payment being made the Collector will at once deliver the Deed of Grant (Form A), with plan of the Estate, to the Grantee, and will enter his name in the District Records as proprietor of the Grant. Possession will at the same time be given.

16. Wherever it may seem necessary to make any reservation of the rights of Government, under paragraphs 12 and 13 of the Resolution, the Collector will report the circumstances for the orders of the Commissioner.

17. Grants, which have already been given for a term of years at progressively increasing rents, will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue, at the highest rate fixed for any year during the currency of the Grant, provided there is no right of occupancy other than that of the Lessee, or that derived from him. The rates for redemption will be calculated according to the market rate of four per cent. Government Securities at the time being, as directed in paragraph 75 of the Despatch of Her Majesty's Secretary of State.

18. As laid down in paragraph 11 of the same Despatch, the title acquired, by sale, under the Rules now promulgated, is to be held subject to the provisions of any legislative enactment which may hereafter be passed for disposing of the claims of third persons subsequently preferred.

19. From the date of the Deed of Sale three months will be calculated, and whatever balance of purchase money is found to be then unpaid, will be entered as an arrear against the Grantee, who is to be charged with ten per cent. per annum on such arrear. This charge should be treated in the same manner as a demand of Land Revenue, liable on default to the same measures for recovery of arrears.* The amount should be demanded twice a year with the May and November instalments, and should be entered at the foot of the Pergunnah Towzee in the same manner as Land Revenue, though the amount "being subject to diminution on each further payment" will not be added to the Rent Roll of the District.

* "The land will be held liable to re-sale in default of the regular payment of such interest should there be no crop or other moveable property on the land from which the claim of Government can be satisfied."

20. Each Grant will be reported through the usual channel for the information of Government immediately on the Deed being delivered to the Grantee.

21. Every six months a Report will be submitted of any sums that may have been realized within the period as purchase money. This must be carefully drawn up, in order that the provisions of paragraph 56 of the Resolution may be carried into effect. A copy of the sixth Monthly Report will be simultaneously sent to the Deputy-Auditor and Accountant-General.

22. In the Annual Administration Report the amount so realized within the year, and the total amount from the commencement of the system up to date will be noted, and also the sum realized as interest on unpaid balances of purchase money.

23. A separate Register of all Grants made under these Rules will be carefully maintained in the following Form in the Collector's Office both in English and in the Vernacular. No transfer of proprietary right will be recognized by the Revenue Officers of Government unless duly registered, after having been acknowledged by the transferee in person or by duly authorized Agent before the District Officer or one of his Assistants :—

Number.	Number of Grant.	Name of Grantee.	Purchase Money.	Payment of instalments with date of each.	Date of Deed of Grant.	Subsequent registered transfers or successions.

The Maps or Plans of all Grants sold under these Rules will be kept in a series corresponding with the numbers in this Register.

24. All previous Circular Orders on the subject of Grants of waste land are hereby cancelled. Future applications will be disposed of under the present orders.

A.

FORM OF GRANT.

Know all men by these presents that the Government, North-Western Provinces, has conferred on————, his Heirs, Executors, Administrators, and Assigns, the Grant of a tract of land measuring British Statute acres ————, situate in ————, to be holden by him in full proprietary right subject to the following conditions :—

I. The purchase money for this Grant of Rupees ————, of which Rupees ——— have been already paid. On the* ————, if the entire purchase money has not been paid up, interest at ten per cent. per annum will

* Enter the date calculated three months from date of this Deed.

be charged on the balance, and thereafter, until the entire purchase money be paid up, such interest will be chargeable on all unpaid arrears of the purchase money, and all payments by the Grantee shall be first carried to the credit of any outstanding arrear of interest due on such purchase money.

II. Arrears of interest shall be treated in the same manner as arrears of Land Revenue, and shall be subject to the same measures of realization.

III. No transfer of proprietary right will be recognized by the Revenue Officers of Government unless duly registered; and no transfer of interest or creation of new interest in the Grant beyond a lease of three years, without an acknowledgment by the transferee in person, or by authorized Agent, before the District Officer, or one of his Assistants.

IV. The right of way heretofore enjoyed by the public in roads now existing in the Grant is not to be interfered with. The Grantee is to pay a contribution of one Rupee per annum for every thousand Rupees of purchase money in lieu of all demand of the State for aid in repairing the high roads, he will have no claim on the Government for making or repairing private roads.

V. The Grantee is to erect permanent boundary marks round his Grant, and to keep them in a state of repair.

VI. The Grant conveys the plenary right to all products both above the surface and below the same. [Here any exceptions which may have been approved by Superior Authority to be noted].

VII. For the preservation of the public peace the Grantee shall, at the requisition of the Magistrate, maintain a Chowkeedar for every sixty houses or families resident in the Grant. The Chowkeedar shall receive Rupees 3 per mensem. For every three Chowkeedars there shall also be maintained by the Grantee a Goryt or Reporter at a salary of Rupees 2 per mensem.

VIII. Arrears on account of Road Fund or Chowkeedar's salary may be realized by distraint of the crops or other property of the Grantee.

IX. The prescriptive rights of other proprietors in streams running through, or bounding the estate will be maintained for purposes of irrigation or navigation, and for the transport of timber or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation, and whenever it sees fit can assume the control of the waters and distribute them in such manner and on such conditions as may seem most conducive to the pnblic good.

X. The lands included in this Grant are shewn in the subjoined Table :—

Number of Map.	Number of Grant.	Name of Grant.	Name of Grantee.	Area in Acres.	Deduct irremediable barren Acres.	Remaining culturable Acres.	Area unencumbered with Jungle.	Uncleared Area.	Purchase Money.

Boundaries,—North.
East.
South.
West.

XI. On the payment of the purchase money in full with all arrears of interest the Grant will belong to the Grantee free for ever from all demand for Land Revenue.

XII. The title conferred by this Grant will not exempt the Proprietor from any taxes, cesses, or liabilities [other than liability for the Land Revenue] which may hereafter be imposed by Law.

By Order, &c.,

G. E. LANCE,

Chairman to the Commissioners.

ORDERS BY THE LIEUTENANT-GOVERNOR, PUNJAB PROVINCES.

NOTIFICATION.

The 14th January 1863.

No. 25.—The following Rules regarding sale of Waste Lands are hereby published for general information, in amendment of the Rules published in the *Supplement to the Punjab Gazette* of 25th January 1862, which are hereby cancelled:—

Rules of Procedure.

For carrying out the orders of the Government of India, in the Home Department, contained in Resolution, dated 17th October 1861, regarding sale of Waste Lands, the property of Government.

I.—All waste lands, the property of Government, will be saleable by auction, unless specially reserved.

II.—Lands situated in the vicinity of towns, or, for any other reason, bearing an exceptional value, will be specially reserved, and will not be sold under these rules, without the express sanction of the local Government. A list of these lands will be hereafter published in the *Punjab Gazette.*

III.—All applications for Waste Lands shall be made in writing to the Deputy Commissioner of the District in which they are situated, or to one of his Assistants. The application should specify locality of the land as far as may be practicable, the estimated area desired, and the name of the applicant; and it will be the duty of the Deputy Commissioner, or his Assistant, as the case may be, to afford, if desired, either verbally or in writing, to the applicant or his representative delivering the document, such information regarding the circumstances of the land as the records of his Office, or his own personal knowledge, may enable him to supply.

IV.—The area of a single grant is not ordinarily to exceed 3,000 acres. It will usually be optional with the applicant to choose such portion of the available waste as he may consider best to suit his purpose, but no parcel of land shall be sold in such a shape as shall, by its abstraction, seriously detract from the value of the remainder available land. Every lot shall be compact, and shall include no more than one tract of land in a ring fence; and when the land touches a public road, navigable river, or canal, the length of the road, river, or canal frontage shall not exceed one-half the depth of the lot.

V.—On receipt of the application, the Deputy Commissioner shall, within one month, cause the land applied for to be surveyed and its boundaries demarcated, the estimated cost of the survey and demarcation being first deposited by the applicant.

VI.—If no valid objection to the proposed grant be apparent; and if the land is ordinary waste, the Deputy Commissioner will issue, simultaneously with the order for survey, a notification in the form marked A. This notification is to be published in the *Punjab Government Gazette*, and a translation of it in the *Surkâri Akhbar*, copies of both English and Vernacular versions being suspended in the Deputy Commissioner's Office, and that of the Tehseeldar or Sub-Collector of the Pergunnah in which the land is situated. The intended sale is also to be proclaimed by beat of drum at both places, and in the villages to which the land adjoins, on three Court days, at intervals of ten days. If deemed requisite or advisable, the Deputy Commissioner will also adopt any other measures that may be practicable for bringing it to the knowledge of parties likely to be interested.

VII.—Simultaneously with the issue of the notification, the Deputy Commissioner will report the circumstance with all needful particulars to the Commissioner, whose duty it will be, should he deem any further information to be necessary, to call for it and adopt such measures as he may deem expedient previous to the expiration of the term of notification.

VIII.—During the term in question, the Deputy Commissioner, or one of his Assistants or Extra Assistants is required to inspect the land and estimate upon the spot the upset price; which price, however in the case of ordinary waste, is not to exceed $2\frac{1}{2}$ Rupees per acre of the whole area. The applicant or applicants, or their representatives, should be invited, in every case, to accompany the Inspecting Officer; and in the event of their doing so, the demarcation of boundaries shall be performed, as far as possible, in their presence.

IX.—On the expiration of the period named in the notification, if no valid objections have been raised to the sale, the Deputy Commissioner shall put the land up to auction, at the upset price, in the manner prescribed for sale of land by Collectors, awarding it to the highest bidder. It is to be understood that all claims or objections advanced have been previously disposed of; and on the sale being completed, and the purchaser paying down the estimated cost of survey and erection of substantial boundary pillars, a certificate of transfer, in the form marked B, is to be given him ;—the proceedings of the Deputy Commissioner under these rules, if allowed thus far by the Commissioner, being final, and not liable to be over-ruled for any informality not attributable to act or default of the grantee. All sales will be public.

X.—In Districts which have undergone scientific survey, it is possible that the Surveyor's village maps may shew with precision the limits of the plot applied for; in which case it will suffice to supply the purchaser with a transcript of this. Such will, however, rarely be the case, and accordingly re-survey will, in almost all cases, be indispensable, both to determine and exhibit the precise area and boundaries, and to indicate the main features and characteristics of the various portions of the tract. It is not probable that in any District of the Punjab applications will be sufficiently numerous to justify or require the entertainment of special Establishment for this purpose; but as the Putwaries have almost everywhere been instructed in the use of the Plane-table, the Deputy Commissioner should always be able, by employing the most skilful of these under the guidance of the Canungo and Tehseeldar, to have a tolerably correct map prepared,—for which the Putwari should be moderately remunerated. If the applicant should be dissatisfied with a map thus prepared, every effort should be made to procure the services of a more scientific Surveyor. If the land be purchased by any other person than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

XI.—If, before the day of sale, a claim of proprietary or occupative right in any part of the land be preferred, the Deputy Commissioner shall investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale. But if on investigation, such claim should appear to be well grounded, the Deputy Commissioner should either reject the application for purchase of the land, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner. The Commissioner may direct the Deputy Commissioner either to reject the application, or to proceed with the sale of the land either unreservedly on the conditions prescribed in Rule XII., or, if any claim to right of proprietorship, occupancy, or use in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusion of the area in which such right exists.

XII.—On completion of the survey of the land, the purchaser is to be required to pay at least ten per cent. of the price of the land, and any balance that may remain due of the actual cost of the survey, advertisement, and sale; after which a Deed in English, in the form marked C, signed by the Secretary to Government, Punjab, is to be given to him. It will of course be optional with the purchaser to pay up the whole of the purchase money at once, but if he do not, a period of three months from the date of the Deed is to be allowed, during which interest shall not be charged. But from and after the expiry of this period, interest at ten per cent. shall begin to run. Provided that if the whole purchase money, principal and interest, be not paid within ten years from the date of sale, the land shall be liable to sale by order of the local Govern-

ment, and during such period shall remain hypothecated as security for the amount. The amount of this interest shall be regarded and treated as the Revenue demand upon the land for the time being, and shall be realized in the same mode by the same periodical kists or instalments as are prescribed for the realization of the ordinary land revenue; accounts being adjusted by the Tehseeldar in the last month (April) of each year, and the instalments for the ensuing year being then determined and entered at the foot of the Purgunnah Touzee. All realizations shall, in the first instance, be credited to these instalments; any surplus receipts only being credited as payment of the principal.

XIII.—There is no prohibition against the same person applying for two or more lots of land, provided that each application comprises no more than the area prescribed in Rule IV.

XIV.—Every appropriated grant is to be reported to Government so soon as the Certificate B has been given to the applicant; and a Deed is to be submitted, with the report, through the usual channels, for the Secretary's signature. A Register of all grants thus completed shall be kept by the Deputy Commissioner in the form noted below; and all Maps and order proceedings appertaining to each shall be numbered and filed in the order entered therein, and no transfer of a grant will be recognized by the Civil or Revenue Courts unless registered in due form and entered in this Register.

FORM OF REGISTER OF WASTE LANDS SOLD. PRESCRIBED IN RULE 14.

1	2	3	4	5	6	7	8
District.	Pergunnah.	Name and area of grant.	Name of Grantee.	Rate fixed.	Amount of Purchase money Paid.	Special Conditions of Sale other than mentioned in the published form of Grant.	Remarks by Deputy Commissioner.

XV.—Orders will be issued from the Offices of Account in regard to the proper mode of bringing to credit all realizations on account of such grants. But the amount of principal and interest respectively, realized from this source during the year, will be shewn in a separate Statement accompanying the yearly Revenue Administration Report, according to a form prescribed by the Financial Commissioner; and a separate paragraph of the Report is to be assigned to the operations of the year carried on under these Rules.

FORM A.

NOTICE is hereby given, that the plot of Government Waste Land (here enter boundaries) situate in the Sub-Collectorate of in the District of in area has been applied for by (an intending purchaser), and will be put up to Auction at an upset price of Rs. on the expiry of a period of thirty days from this date, unless some valid objection to such sale shall have been by that time urged.

Deputy Commissioner.

DEPUTY COMMR'S OFFICE, }
Dated the }

FORM B.

CERTIFIED that the plot of land (here enter designation or other available mode of identification,) in area situate in the Sub-Collectorate of in the district of has been allotted as a grant by the British Government to son of a resident of for Rs. conditionally on his fulfilling the prescribed terms. The sum of Rs. has been paid to Government by the said for cost of survey of the said land, and erection of boundary pillars thereupon.

Deputy Commissioner.

DEPUTY COMMR.'S OFFICE, }
Dated the * }

FORM C.

KNOW ALL MEN BY THESE PRESENTS that the Government of the Punjab has conferred on his heirs, executors, administrators, and assigns, the grant of a tract of land, measuring British Statute acres situate in to be holden by him in full proprietary right, subject to the following conditions:—

I.—The purchase money of this grant is Rupees of which Rupees have been paid. On the* if the entire purchase money has not been paid up, interest at ten per cent. per annum will be charg-

* Enter the date calculated three months from the date of this Deed.

ed on the balance, and thereafter, not being more than ten years from the date of sale, until the entire purchase money be paid up, such interest will be chargeable on all unpaid arrears of the purchase money, and all payments by the grantee shall be carried to credit of any outstanding arrear of interest due on such purchase money. The land will remain hypothecated as security for the discharge for the principal and interest of the purchase money, and be liable to sale if the said amount be not discharged within the stipulated period.

II.—Arrears of interest shall be treated in the same manner as arrears of Land Revenue, and be subject to the same measures of realization.

III.—No transfer of proprietary right will be recognized by the Civil Courts, or by the Revenue Officers of Government unless duly registered.

IV.—The right of the public to thoroughfares traversing the grant is not to be interfered with. The grantee is to contribute on the same terms as other landholders for the construction and repairing of high roads, but will have no claim on Government for making or repairing private roads.

V.—The grantee is to erect permanent boundary marks* round his grant, and to keep them in a state of repair.

VI.—The grant conveys plenary right to all products, both above the surface and below the same. (Here any exceptions which have been approved by superior authority to be noted.) But whereever any persons have been accustomed to use or consume the spontaneous products of the soil, the grantee shall not interfere with them so long as they do not trespass upon, or otherwise injure, the cultivated portion of the land.

VII.—The grantee will be responsible for the Police and Conservancy of his grant, to the same extent as other landholders are for theirs, and he will keep up such establishments for these purposes as may be required by the general rules in force.

VIII.—The grantee will be liable for all cesses imposed upon landholders generally; and where these are levied by percentages on the revenue, ten per cent. upon the purchase money shall be for the present assumed as the revenue of the Estate, for the purposes of this calculation. Government, however, reserves to itself the right to prescribe by enactment such modified rules on this point as may hereafter appear expedient.

IX.—Arrears on account of Road Fund, Chowkeedars' salary, or any other cess, may be realized by distraint of the crops or other property of the grantee.

X.—The prescriptive right of other proprietors in streams running through, or bounding the Estate will be maintained for purposes of irrigation or navigation used for the transport of timber

* This will be usually done at time of survey.

or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation; and whenever it sees fit, can assume the control of the waters and distribute them in such a way and on such conditions as may seem most conducive to the public good.

XI.—The lands included in this grant are shewn in the subjoined Table:—

Number on Map.	Number of Grant.	Name of Grant.	Name of Grantee.	Area in Acres.	Purchase Money.
Boundaries North.			South.	East.	West.

XII.—On the payment of the purchase money in full with all arrears of interest, the grant will belong to the grantee free for ever from all demands on account of Land Revenue.

FOREIGN DEPARTMENT.

REVENUE.

Fort William, the 13th December 1862.

CENTRAL PROVINCES.

WASTE LAND SALE RULES.

Preamble.

THE following Rules for the sale of unassessed waste lands in the Central Provinces are published for general information:—

RULE I.—All unassessed waste lands in which no right of proprietorship, or exclusive occupancy is known to exist, or to have existed, and to be capable of revival, are available for purchase under these Rules, unless specially reserved under Rule 19.

RULE II.—The maximum limits of the quantity of land which will, for the present, be sold in one lot in the several Districts of the Central Provinces, will be as mentioned below:—

1.	Raepore	District	.. ..	5,000 acres.
2.	Belaspore	„	... ...	
3.	Mundia	„	... ...	
4.	Sumbulpore	„	... ...	
5.	Upper Godavery	„	... ...	
6.	Hoshungabad	„	... ...	
7.	Nagpore	„	... ...	3,000 acres.
8.	Chanda	„	... ...	
9.	Bhundara	„	... ...	
10.	Wurda	„	... ...	
11.	Jubbulpore	„	... ...	
12.	Nursingpore	„	... ...	
13.	Chindwarra	„	... ...	
14.	Seonee	„	... ...	
15.	Saugor	„	... ...	
16.	Baitool	„	... ...	
17.	Dumoh	„	... ...	

If, for special reasons in particular localities, lower maximum areas should be determined upon, due notice will be given.

RULE III.—Every lot shall be compact and shall include no more than one tract of land in a ring fence. No lot will be sold

unless previously surveyed and demarcated. The Survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the Survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

RULE IV.—Applications for the purchase of waste land shall be made to the Deputy Commissioner of the District, and every application shall contain the following particulars:—

1*st*.—The estimated area of the land applied for.

2*nd*.—The situation of the land and its boundaries, as accurately as can be ascertained.

RULE V.—If the Deputy Commissioner is able to satisfy himself that the land applied for is available for purchase under Rule I., and within the conditions prescribed in Rules II. and III., and if the land shall have been previously surveyed and demarcated, he shall advertise the lot for sale, on a given day, at an upset price as hereinafter specified. The advertisement shall be published in both the English language and the Vernacular of the District in the Deputy Commissioner's Office; in the Offices of the Tehseeldars of the District, and in the Police Station, within the limits of which the land may be situated.

RULE VI.—If the Deputy Commissioner be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the Survey, the advertisement of sale shall be published as above.

RULE VII.—The day of sale to be named in the advertisement shall not be less than thirty days from the date of publication of the advertisement of sale in the Office of the Deputy Commissioner. The sale shall be held at the Deputy Commissioner's Office. The sale may be postponed, if, in the Deputy Commissioner's judgment, it be necessary; due notice being always given of the date on which the sale will be held.

RULE VIII.—If before the day of sale no claim of proprietory, or occupative right in the land be preferred, the lot shall be sold by Auction to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid.

RULE IX.—The upset price of the lands to be sold will ordinarily be as follows; but in special cases the Deputy Commissioner, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that in no case shall the upset price exceed four times the ordinary rates:—

(1.) In the Raepore, Belaspore, and Mundla Districts, 8 annas per acre.

(2.) In the Sumbulpore and Upper Godavery Districts, 1 Rupee per acre.

(3.) In the Hoshungabad, Nagpore, Chanda, Bhundara, Wurda, Jubbulpore, Nursingpore, Chindwarra, Seonee, Saugor. Baitool, and Dumoh Districts, Rupees 2-8 per acre.

The upset price will be calculated on the whole area of the lot, without any deduction on any account whatever.

RULE X.—On payment of one-tenth of the purchase money, and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a Deed (in a form which will hereafter be issued by the Chief Commissioner) signed by the Deputy Commissioner, conveying to him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of Land Revenue; but subject, nevertheless, to all general taxes and local rates imposed by Law or by the Local Government, and to any other claim, whether of the Government or otherwise, that may have been, or may hereafter be established in any Court of competent jurisdiction.

RULE XI.—If, before the day of sale, a claim of proprietory or occupative right in any part of the land be preferred, the Deputy Commissioner shall investigate the claim; and if satisfied that it is groundless, shall reject it and proceed with the sale.

RULE XII.—If on investigation any such claim should appear to be well grounded, the Deputy Commissioner may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case, the applicant may appeal to the Commissioner.

RULE XIII.—The Commissioner may direct the Deputy Commissioner either to reject the application, or to proceed with the sale of the land, either unreservedly, or on the conditions prescribed in Rule X.; or, if any claim to right of proprietorship, occupancy, or use in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of Survey, after deduction of any expenses which may have been incurred in survey, demarcation, advertisement, or any other way incident to the transaction, will be forfeited or refunded as the Deputy Commissioner or Commissioner may direct according to the circumstances of the case.

RULE XIV.—On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the Deputy Commissioner may think necessary, provided it be not made incumbent on the purchaser to erect more than at the rate of four marks per mile of boundary line.

RULE XV.—If the land be purchased by any person other than the applicant, the estimated cost of the survey deposited by the applicant, under Rule VI., shall be returned to him, and the actual cost of survey and demarcation shall be charged against the purchaser, in addition to the price of the land.

RULE XVI.—The purchaser may, if he choose, pay the whole of the purchase money when the lot is sold, or the Deed delivered to him. Or, if he choose, he may pay a portion, not being less than 10 per cent. at the time of sale, and the remainder in instalments at any future time, not being more than ten years from the date of sale. In the latter case, simple interest at the rate of 10 per cent. a year will be charged on the unpaid portion of the purchase money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Deputy Commissioner, if the said amount of either principal or interest be not paid within the stipulated period. Should such sale take place, the defaulter will have no claim for improvements against the Government or on any other account, except for the one-tenth of the purchase money paid; and for that only in the event of the amount realized at the second sale, at least equaling the amount of the original sale, plus any interest due to Government by the original purchaser on the unpaid portion of the purchase money.

RULE XVII.—If the purchaser fails to pay one-tenth of the purchase money, and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser. whose deposit will also be forfeited.

RULE XVIII.—No sale of waste lands once made by a Deputy Commissioner in conformity with these Rules will be disturbed by any higher executive authority; but all such sales shall be immediately reported to the Supreme Government.

RULE XIX.—Reserves of grazing and forest land, of land for the growth of firewood near Towns and Stations, of building sites, parks, recreation grounds, of tracts possessing mineral wealth, stone quarries, and the like, and of land required for other special purposes, are not to be sold under these Rules without the express sanction of the Chief Commissioner. A list of these lands is under preparation, and will be published hereafter in the *Calcutta Gazette*.

RULE XX.—Lands for the purchase of which application has been made under the Resolution of the 17th October 1861, will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the Law allows.

RULE XXI.—From and after the date of the promulgation of these Rules, no fresh applications for grants of waste lands under any previous Rules will be entertained.

RULE XXII.—The Rules relating to the disposal of claims to land for the purchase of which application may be made will be subject to the provisions of any Law which may hereafter be passed for regulating the disposal of such claims

RULE XXIII.—The above Rules will continue in force for two years from the 1st January 1863.

H. M. DURAND, *Colonel,*
Secy. to the Govt. of India.

ACT III. OF 1863

PASSED BY THE COUNCIL OF THE LIEUTENANT-GOVERNO OF BENGAL FOR MAKING LAWS AND REGULATIONS ON TH 7TH MARCH 1863,

TO

Regulate the Transport of Native Laborers to the Districts o Assam, Cachar, and Sylhet.

WHEREAS it is expedient to regulate the passage and transpo of native laborers, from or through the Pr vinces subject to the Government of Benga to the Districts of Assam, Cachar, an Sylhet; and also to regulate the manner of engaging, and con tracting with native inhabitants of the said Provinces to proceed t the said Districts for the purpose of laboring for hire; It i enacted as follows:—

Preamble.

I. From and after the first day of May 1863, whoever shall otherwise than under the provisions of thi Act, engage any Native Inhabitant of India i any of the Provinces subject to the Govern ment of Bengal to proceed to any or either o the Districts of Assam, Cachar, or Sylhet fo the purpose of laboring there for hire, an whoever shall otherwise than under the provisions of this Act con vey any Native Inhabitants of India through any of the sai provinces to any or either of the Districts aforesaid for the purpos of laboring there taken for hire, shall be lia ble to a fine not exceeding two hundre Rupees for every person so engaged or *con veyed*, and in default of payment of such fine shall be liable to impri sonment for a term not exceeding six months Provided always that nothing in this Act shal apply to any engagement made in any o either of the said Districts of Assam, Cachar, and Sylhet.

Laborers shall be engaged to proceed to Assam, &c., and shall be conveyed there only under this Act.

Penalty.

Proviso.

II. For the purposes of this Act it shall be lawful for the Lieute nant-Governor of Bengal to appoint Super intendents of Labor Transport, and Medica Inspectors of Laborers at any places where h may think proper: provided that, wher ever any Superintendent or Medical Inspec tor shall be appointed, the Lieutenant-Go vernor of Bengal shall, by Notification in the *Calcutta Gazett*

Lieutenant-Governor may appoint Superintendents of Labor Transport and Medical Inspectors of Laborers.

define the local limits within which such Superintendent or Medical Inspector shall exercise the powers and authority conferred on him by this Act. When such local limits shall have been so defined, no other Superintendent or Medical Inspector shall within those limits exercise any of the powers vested in a Superintendent or Medical Inspector by this Act.

No person not licensed as a Contractor or Recruiter may engage or contract to supply laborers

III. It shall not be lawful for any person, who is not duly licensed as a Contractor or Recruiter as hereinafter provided, to engage or induce, save through or by the Agency of a licensed Contractor, any Native Inhabitants of India to proceed to the Districts of Assam, Cachar, or Sylhet for the purpose of laboring for hire. Any person, other than a Contractor, licensed as hereinafter provided, who shall enter into any contract or agreement to supply any such native inhabitants for the purpose of laboring for hire in those Districts or any or either of them, and any person other than a Recruiter, licensed as hereinafter provided, who shall enter into any contract or agreement to engage or induce, or shall attempt to engage or induce, any such Native Inhabitants to proceed to any of those Districts for the purpose aforesaid, shall be liable for each offence to a fine not exceeding one thousand Rupees, and in default of payment thereof to imprisonment for a term not exceeding six months.

Penalty.

Superintendent may grant licenses to Contractors.

IV. It shall be lawful for any Superintendent appointed under this Act to grant to such person as he may think fit licenses, in the form set forth in Schedule (A) to this Act annexed, to act as Contractors for engaging or supplying persons for the purpose of laboring for hire in the Districts of Assam, Cachar, and Sylhet, or any or either of them. For every such license a fee not exceeding one hundred Rupees (the amount of which shall from time to time be fixed by the Government of Bengal) shall be paid to the Superintendent granting the same; and every such license shall be in force for one year and no longer.

Contractors shall keep up depôts, and receive and maintain laborers therein.

V. Every Contractor licensed under this Act shall, if called on to do so by the Superintendent by whom he is licensed, establish a depôt in a place to be approved of by such Superintendent. Every such depôt shall be kept up by the Contractor for the reception of laborers to be supplied or forwarded by or through him. All such laborers shall, on their arrival at or in the neighbourhood of the depôt so established by the Contractor by, through, or for whom they have been engaged or forwarded, be at once taken to, and received into it, and shall be entitled to receive in such depôt at the expense of such Contractor, suitable lodging, food, clothing, and medical attendance, until such laborers

shall be declared by the Superintendent to be no longer entitled thereto. Every such depôt as aforesaid shall be under the supervision of the Superintendent, and shall be open to his inspection and to the inspection of the Medical Inspector at all times, and shall be managed and regulated by the Contractor in accordance with such rules as the Superintendent may, with the sanction of the Lieutenant-Governor of Bengal, from time to time lay down in that behalf.

Contractor to give Superintendent such information as he may require.

VI. It shall be the duty of every Contractor to afford such information to the Superintendent by whom he is licensed, and to make such returns and reports to him, as such Superintendent may from time to time require.

It shall not be lawful to employ an unlicensed Recruiter or Agent.

VII. It shall not be lawful for any person, whether a licensed Contractor or otherwise, to employ any person, not duly licensed as hereinafter provided, to act as a Recruiter or Agent in inducing or engaging natives of India to proceed from or through any of the Provinces subject to the Government of Bengal, to the District of Assam, Cachar, or Sylhet, as laborers for hire.

Superintendent may license Recruiters.

VIII. It shall be lawful for any Superintendent to grant to such persons as he may think fit licenses, in the form set forth in the Schedule (B) to this Act annexed, to act as Recruiters for engaging or inducing persons to proceed to the Districts of Assam, Cachar, or Sylhet for the purpose of labouring for hire. For every such license a fee not exceeding sixteen Rupees (the amount of which shall from time to time be fixed by the Government of Bengal) shall be paid to the Superintendent granting the same, and every such license shall be in force for one year and no more.

Superintendent may cancel the license of a Contractor or Recruiter.

IX. It shall be lawful for any Superintendent, in case of misconduct on the part of a Contractor or Recruiter, to cancel any license which he may have granted to such Contractor or Recruiter.

Recruiter to wear badge.

X. Every person holding a license as Recruiter shall wear a badge having legibly inscribed on it, in the Oordoo and Bengallee languages, the name of the District or Districts to which he is licensed to engage laborers to proceed. No Recruiter shall engage

And have his license countersigned by a Magistrate where he is recruiting.

or attempt to engage laborers in any District of the said provinces or in the Town of Calcutta without having first exhibited his license to a Magistrate in such District or Town and obtained the countersignature of the Magistrate thereupon. Such countersignature shall be given, provided that the license is in force at the time.

XI. Every Native Inhabitant of India who shall in any place within the said provinces other than the Town of Calcutta, enter into any engagement with a Recruiter to proceed to the Districts of Assam, Cachar, or Sylhet, for the purpose of laboring for hire, shall, when called on by the Recruiter so to do, appear with the Recruiter, before any Magistrate in the District within which the engagement was entered into. Upon so appearing, the Recruiter shall state to the Magistrate to what depôt he intends that the laborer shall proceed, and the Magistrate shall thereupon examine the laborer with reference to his engagement, and if it appears that he comprehends the nature of the engagement he has entered into, and that he is willing to fulfil the same, the Magistrate shall register the name of such laborer and the depôt to which it is intended he shall proceed, in a book to be kept for the purpose in such form as the Lieutenant-Governor of Bengal shall prescribe: but if the Magistrate shall be of opinion that such person does not comprehend the nature of his engagement or that he has been induced to enter into it by fraud or misrepresentation, he shall refuse to register the name of such person. An authentic copy of every registration made under this Section shall be forthwith forwarded by the Magistrate to the Superintendent within the local limits of whose authority the depôt to which such registration relates is situated.

Laborer recruited in the Moffussil shall appear before Magistrate for examination and registration.

Copy of register to be sent to the Superintendent.

XII. Every Native Inhabitant of India who shall in the Town of Calcutta enter into any engagement with a Recruiter to proceed to the Districts of Assam, Cachar, or Sylhet for the purpose of laboring there for hire shall, within forty-eight hours of making such engagement, appear with the Recruiter before the Superintendent having authority in the said Town. Upon so appearing the Recruiter shall state to the Superintendent to what depôt he intends that the laborer shall proceed, and the Superintendent shall thereupon examine the laborer with reference to his engagement, and if it appears that he comprehends the nature of the engagement he has entered into and that he is willing to fulfil the same, the Superintendent shall register the name of such laborer and the depôt to which it is intended he shall proceed, in a book to be kept for the purpose in such form as the Lieutenant Governor of Bengal shall prescribe, but if the Superintendent shall be of opinion that such person does not comprehend the nature of his engagement, or that he has been induced to enter into it by fraud or misrepresentation, he shall refuse to register the name of such person.

Registration of laborers recruited in Calcutta.

XIII. Every Recruiter who shall forward or send any laborer from the District or Town in which he has entered into any engagement, or who shall induce or knowingly permit any laborer to leave such District or Town, for the purpose

Penalty for forwarding laborers or allowing them to go without being duly registered, &c.

of proceeding to the Districts of Assam, Cachar, or Sylhet without the laborer being duly registered as provided in Sections XI. and XII. of this Act, and every Recruiter who shall forward or send any laborer or shall induce or knowingly permit any laborer to proceed to any depôt other than the depôt registered under those Sections, shall be liable to a fine not exceeding two hundred Rupees for every laborer so forwarded or sent or induced or permitted, and in default of payment of such fine to imprisonment for a term not exceeding six months.

Laborers shall be accompanied to depôt by Recruiter or person approved by Magistrate.

XIV. The registered laborers engaged by any Recruiter shall, while proceeding to a depôt, be accompanied throughout the journey either by the Recruiter himself or by a competent person appointed by him with the approval of the Magistrate by whom the laborers may have been registered.

Recruiter to provide suitable food and lodging, &c.

Every Recruiter by or through whom laborers may be forwarded to a depôt shall throughout their journey provide them with proper and suitable lodging and food. Whenever any such laborer shall not be so provided with lodging or food, the Recruiter shall, whether he accompanied the laborers in person or not, be liable to a fine not exceeding two hundred Rupees, and in default of payment of such fine to imprisonment for a term not exceeding six months.

Contractor to give the Superintendent notice of arrival of laborers at depôt.

XV. Every Contractor shall, within twenty-four hours after the arrival of any laborer at his depôt, give to the Superintendent a notice in writing of such arrival, which notice shall be in such form and shall contain such particulars as shall prescribe. Every laborer shall, as soon as may be after his arrival, be examined by the Medical Inspector, who shall give to the Superintendent a certificate of the state of health of every laborer examined.

Medical Inspector to inspect laborers on arrival.

If unable to proceed to Assam, &c., from bad health, Contractor to send laborer back to where he was registered.

XVI. If the Medical Inspector shall certify that any laborer is not in a state of health which warrants his proceeding to the Districts of Assam, Cachar, or Sylhet for the purpose of laboring, the Superintendent shall either order the Contractor, in whose depôt such laborer may be, forthwith to convey him back to the place at which he was registered, or shall order the Contractor to pay to the laborer such sum as shall to the Superintendent seem necessary to enable him to return there: and the Contractor if so ordered shall, without unreasonable delay, convey the laborer or cause him to be conveyed back to the place at which he was registered. On failure of the Contractor for twenty-four hours to comply with an order of the Superintendent for the payment of such sum of money as aforesaid, it shall be lawful for the Superintendent to advance the same to the laborer, and every sum so advanced shall be recover-

able by the Superintendent, with six per cent. interest from the date of advance, from the Contractor on whose default it may be advanced, as money paid to the use of such Contractor: and no further proof shall be required by any Court in any such case, than that the Superintendent gave the Contractor such order as aforesaid and that the Contractor for a space of twenty-four hours made default in complying therewith. Provided always that any laborer who from his state of health is, in the Medical Inspector's opinion, unfit to undertake the journey back to the place where he was registered, shall, in addition to his being conveyed back by or at the expense of the Contractor, be entitled to continue in the depôt and to be fed, clothed, and lodged there by and at the expense of the Contractor until such time as the Superintendent shall order otherwise.

Superintendent to examine all laborers as to their treatment in the journey.

XVII. The Superintendent shall examine separately each laborer, as soon as possible after his arrival at a depôt, as to the treatment that he has received on the journey to the depôt: and in case it shall appear that any laborer has suffered any ill-treatment on the journey, the Superintendent may cause him to be removed from the depôt. The Superintendent may thereupon order the Contractor, from whose depôt the laborer is removed, to pay him such a sum of money as to the Superintendent shall seem necessary in order to enable the laborer to return to the place where he was registered: and on failure of the Contractor to pay such sum within twenty-four hours of his being ordered to do so, the Superintendent may advance the amount to the laborer: and all the provisions of the last preceding Section as to sums advanced by the Snperintendent shall be applicable, so far as the circumstances of the case will permit, to advances made by him under this Section.

Every laborer to enter into a written contract to serve for some period not exceeding five years.

XVIII. It shall not be lawful for any laborer to be conveyed from any depôt to the Districts of Assam, Cachar, or Sylhet, for the purpose of laboring there for hire, unless he shall have first, in the manner hereinafter provided, entered into a duly registered contract with some person, to serve such person there for a fixed period, which shall in no case exceed the term of five years. Every such contract shall be reduced to writing and shall specify the rate of wages the laborer is to receive, and shall contain such particulars and be in such form as the Lieutenant-Governor of Bengal shall prescribe.

Contract to be explained by Superintendent and executed in duplicate and abstract to be entered in a book by Superintendent.

XIX. Every contract entered into by a laborer shall, in the presence of the Superintendent, be signed in duplicate both by the laborer and by the person with whom he intends to contract or his Agent. Before the laborer signs the contract, the Superintendent shall personally explain it to him and shall satisfy himself

that the laborer fully understands all its details. The Superintendent shall attest every contract duly executed in his presence, and certify at the foot thereof that he has personally explained the same and has satisfied himself as aforesaid. An abstract of every such contract shall be entered by the Superintendent in a Register to be kept by him for the purpose: and after such abstract has been so entered, one of the duplicates so duly signed and attested as hereinbefore provided shall be given to the laborer, and the other to the person with whom he has contracted or his Agent.

Copy of abstract to be sent to Magistrate of District where service is to be performed.

XX. The Superintendent shall send by post a copy, authenticated under his hand, of every abstract entered by him as in the last preceding Section provided, to the Magistrate of the District in which the service is in such contract agreed to be performed. Every such copy shall be despatched by the Superintendent, within seven days after the entry of the abstract. Every abstract and every such copy shall be receivable in evidence in any Court, whether Civil or Criminal, in lieu of the original contract.

Laborers whose contracts are duly executed and entered may be despatched with consent of Superintendent.

XXI. Any laborers whose contracts shall have been executed and entered as hereinbefore provided, may be despatched from time to time to the Districts of Assam, Cachar, or Sylhet, by the Contractors in whose depôts they may be, or by the persons whom they may have agreed to serve respectively, but subject always to the provisions of this Act. No laborer shall be so despatched unless the permission of the Superintendent shall have been first obtained, and the laborer shall have received a pass from the Superintendent as hereinafter mentioned.

Steamer or boat to be licensed to carry laborers.

XXII. It shall not be lawful for the Master of any steamer or the Manjee of any boat, without a license granted by the Superintendent within the local limits of whose authority a laborer may embark, to convey such laborer to the Districts of Assam, Cachar, or Sylhet. A fee, not exceeding four annas per laborer, (the amount of which fee shall from time to time be fixed by the Government of Bengal), shall be paid for every such license, which fee shall be carried to the credit of the said Government, and the granting or withholding any license shall be entirely discretionary with the Superintendent to whom application is made for the same. Every such license shall apply only to one voyage or trip to the Districts of Assam, Cachar, or Sylhet or any one or more of those Districts, and shall specify the number of laborers which the steamer or boat is licensed to carry: and the license shall also specify the number of persons (including the crew) other than laborers, whom the steamer or boat is licensed to carry.

XXIII. The Master of any steamer or the Manjee of any boat in which any such laborer shall be conveyed without a license having been obtained as aforesaid, shall be liable to a fine not exceeding two hundred Rupees for every laborer so illegally conveyed, and in default of payment thereof to imprisonment for a term not exceeding six months.

Penalty for conveying laborers in a steamer or boat without a license.

XXIV. If the Master of any steamer or the Manjee of any boat shall, after having obtained a license as aforesaid, fraudulently do or suffer to be done any act or thing whereby such license shall become inapplicable to the then state of the steamer or boat, such Master or Manjee shall be liable to a fine not exceeding five hundred Rupees, and in default of payment thereof to imprisonment for a term not exceeding two months.

Penalty for fraudulent acts whereby a licensee becomes inapplicable to the altered state of the steamer or boat.

XXV. The Master of any steamer or the Manjee of any boat, licensed to carry laborers, who shall receive on board his steamer or boat a greater number of laborers or a greater number of other persons than is specified in his license, shall be liable to a fine not exceeding two hundred Rupees for every laborer and other person so received in excess of the licensed number, and in default of payment thereof to imprisonment for a term not exceeding six months. In computing under this Act the number of laborers or other persons on board of any steamer or boat, two children under the age of ten years shall be reckoned as one person only.

Penalty for taking on board greater number of passengers than specified in license.

Two children under ten to count as one person.

XXVI. It shall not be lawful for the Master of any steamer or the Manjee of any boat licensed as aforesaid to take on board any such laborer as aforesaid, unless such laborer shall have in his possession and shall show a pass given to him and signed by the Superintendent, stating his name and age, and the name of his father, and certifying the place of his destination.

No laborer to be taken on board unless he has a pass signed by the Superintendent.

XXVII. It shall not be lawful for the Master of any steamer or the Manjee of any boat licensed as aforesaid except in case of accident or unavoidable necessity to be immediately reported to the Superintendent by whom the license was granted and to the Magistrate of the District in which such accident or necessity shall occur to cause, or permit any such laborer as aforesaid finally to leave such steamer or boat at any place other than that named as the destination of such laborer in the pass signed by the Superintendent. No place shall be named in any such pass as the destination of any laborer, except a place which shall have been declared by the Lieutenant-

No laborer to be allowed finally to leave steamer or boat, at any place other than that mentioned in his pass.

Governor to be a place for the disembarkation of laborers under this Act. Provided always that this Section shall not be deemed to prevent the Master of any steamer or the Manjee of any boat from permitting laborers to disembark at any place or places on the voyage, so long as such disembarkation is not intended, or known to be likely to be permanent.

Proviso.

XXVIII. Before any steamer or boat licensed as aforesaid shall commence its voyage for the Districts of Assam, Cachar, or Sylhet, the Master or Manjee thereof shall deliver to the Superintendent a list in duplicate, in a form to be prescribed by the Lieutenant-Governor of Bengal, specifying as accurately as may be, the names, ages, occupations, and destination of all and every the laborers on board such steamer or boat. The Superintendent shall keep one of the said lists and shall sign the other (if it be in his opinion correct) and deliver it back to the Master or Manjee.

A list of the laborers on board to be delivered to Superintendent.

If the Master of any steamer or the Manjee of any boat shall, after having commenced his voyage, or after having delivered such list to the Snperintendent, take on board any laborer whose name shall not have been entered in the list aforesaid, he shall be liable to a fine not exceeding two hundred Rupees for every laborer so illegally taken, and in default of payment thereof to imprisonment for a term not exceeding six months.

Penalty for afterwards taking on board laborers not entered in list.

XXIX. The Master of any steamer or the Manjee of any boat licensed as aforesaid having laborers on board shall immediately on the arrival of the steamer or boat at the place of destination, and previously to the disembarkation of any of the laborers, give notice of his arrival to the nearest Magistrate or such Officer as shall be appointed by such Magistrate in that behalf, and shall deliver to him the list in the last preceding Section mentioned.

Notice to be given and list delivered to Magistrate or Officer appointed by him immediately on arrival of steamer or boat at place of destination.

XXX. The laborers shall thereupon be landed under the supervision of the Magistrate or other Officer aforesaid, who shall make such provision as he may consider necessary for the reception of the laborers and for their food, lodging, and clothing while they remain in the place or station at which they may have disembarked.

Laborers to be landed under supervision of Magistrate, &c

XXXI. The Magistrate or other Officer aforesaid may cause the laborers to be inspected by the Civil Surgeon of the Station or other qualified Medical Officer. It shall be the duty of such Civil Surgeon or other Medical Officer to make such inspection when called on by the Magistrate or other Officer aforesaid so to do, and after making such inspection, he

Magistrate may require Surgeon to inspect laborers and make a report.

shall prepare and sign a report in which he shall certify as to the state of health and general condition of every laborer inspected.

Magistrate, &c., to forward a report to Superintendent.

XXXII. The Magistrate or other Officer aforesaid shall despatch without delay, to the Superintendent by whose permission they were forwarded, a detailed report of the number of laborers who may have arrived, together with a copy of the report, (if any) of the Civil Surgeon or other Medical Officer as to their state of health and general condition, and any observations which such Civil Surgeon or other Medical Officer or such Magistrate or other Officer aforesaid may think fit to make.

Magistrate, &c., to give notice to the persons importing laborers of their arrival.

XXXIII. On the arrival of any laborers at the place of disembarkation, the Magistrate or other Officer aforesaid shall at once give notice of their arrival to the persons with whom they shall be under contract to labor, or to the Agents of such persons, who shall forthwith take charge of the laborers with whom they may have contracted respectively, and shall in such manner as shall be approved of by the Magistrate or other Officer aforesaid, provide for their proceeding or being conveyed to the place of their final destination. It shall be the duty of the Magistrate or other Officer aforesaid to see, so far as is possible, that reasonable provision is made for the support and lodging of the laborers from the time of their disembarkation till they reach their final destination, and if the persons with whom they may have contracted shall fail to make such reasonable provision, the Magistrate or other Officer aforesaid may order such arrangements to be made, and incur such expenses, as under the circumstances may seem to him necessary: and the amount of such expenses, as also any expenses incurred by him in the disembarkation, or in respect of the food, lodging, or clothing of the laborers or of any of them, shall, with interest at the rate of six per cent, be recoverable by the Magistrate or other Officer aforesaid from the persons with whom the laborers, in respect of whom the expenses have been incurred, may have contracted, as money paid to their use.

If proper means are not provided for conveyance of laborers to place of final destination, Magistrate, &c., to make arrangements and incur necessary expenses.

Such expenses how to be recovered.

Superintendent to prescribe the quantity of provisions to be carried on steamer or boat.

XXXIV. There shall be laden, under the supervision of the Superintendent, on board of every steamer or boat carrying laborers to the Districts of Assam, Cachar, or Sylhet, at the time of the embarkation of such laborers, good and wholesome provisions for the consumption of the said laborers, to the amount or in the proportion which shall be prescribed by the Superintendent. And it shall not be lawful for the Master of the steamer or the Manjee of the boat to commence the

And the number of Medical and other Officers.

voyage without having on board such provisions as aforesaid, or without having on board such Medical and other Officers, Cooks, and other attendants, as the Superintendent shall order: and every Contractor or other person by whom or on whose account laborers are despatched to any of the said Districts, shall at his own expense provide such Medical and other Officers, Cooks, and other attendants, as shall be in each case ordered by the Superintendent.

Provisions of Sections XIV., XXX., XXXI., XXXII., and XXXIV., to apply to children &c. accompanying laborers.

XXXV. The provisions with regard to registered laborers contained in Sections XIV., XXX., XXXI., XXXII., and XXXIV., of this Act, shall be applicable to such children and aged relatives of the laborers as may with the consent of a contractor or Recruiter and with the written permission of the registering Magistrate or Superintendent accompany them.

Proportion of females to be carried on steamer or boat.

XXXVI. The Superintendent may refuse to grant passes to any laborers if the party to which they belong or with whom it is intended to forward them shall not consist of, or be accompanied by, females above the age of twelve years in such proportion as the Lieutenant-Governor of Bengal shall from time to time direct: provided always that the proportion shall never be less than one female to every four males. And it shall not be lawful for any Master of a steamer or any Manjee of a boat to convey, except by the express permission in writing of the Superintendent, any party of laborers (whether registered or not) which shall not contain or be accompanied by such proportion of females as shall be directed by the Lieutenant-Governor of Bengal as aforesaid.

Magistrate of a District may board and inspect steamer or boat.

XXXVII. It shall be lawful for the Magistrate of any District, through which a steamer or boat having laborers on board shall be passing, to go on board such steamer or boat and to inspect the same or any part thereof, and the Master and Officers of such steamer and the Manjee of such boat shall be bound to afford to the Magistrate all reasonable facility for such inspection, and to give him all such information respecting such steamer or boat and her equipments, or respecting the laborers or other persons on board thereof, as may be reasonably required by the Magistrate.

Magistrate shall report to Superintendent if, after boarding, he find provisions of Act not complied with.

XXXVIII. In any case in which, on making such inspection as in the last preceding Section provided for, the Magistrate shall find that any of the provisions of this Act have not been complied with, he shall report the same to the Superintendent by whom the license to carry the laborers was granted to such steamer or boat; and if the circumstances of the case are such as in the Magistrate's opinion make it necessary to do so,

And may detain steamer or boat if necessary.

he may detain the said steamer or boat until the provisions of this Act have been com-

plied with, so far as to make it possible for the voyage to be proceeded on with safety and reasonable comfort to the laborers.

Magistrate may after consulting a Medical officer stop laborers on voyage if violent sickness exist among them.

XXXIX. If violent sickness or disease shall exist among laborers while passing through any District whether by land or by water, on their journey either to a depôt or to the Districts of Assam, Cachar, or Sylhet, it shall be lawful for the Magistrate of such District, if after taking the opinion of the Civil Surgeon or other qualified Medical officer he shall think it advisable so to do, to stop the laborers and detain them until such time as they shall be able to proceed with safety. In any case in which laborers are detained as aforesaid by a Magistrate, he shall cause all necessary arrangements to be made for their accommodation and welfare, and all expenses incurred by him in so doing shall be recoverable with six per cent. interest from the Contractor by whom, or to whose depôt, the laborers are despatched, as money paid to the use of such Contractor.

Act not to apply to domestic servants or to laborers proceeding alone.

XL. The provisions of this Act shall not apply to domestic servants, or to any laborer proceeding alone or accompanied by his family only, to the Districts of Assam, Cachar, or Sylhet, or to any number of laborers less than ten proceeding there together, without the intervention, direct or indirect, of a Recruiter or of a Contractor.

No deduction to be made from the wages mentioned in the attested contract.

XLI. It is hereby declared that it shall not be lawful for any person, with whom a laborer has entered into a contract duly executed in the presence of the Superintendent as provided in Section XIX. of this Act, to make any deduction whatever, from the amount of wages which by such contract are made payable to the laborer, for or on account of the expenses incurred in engaging such laborer or otherwise incurred in respect of him prior to his reaching his final destination.

Penalty for any offence not specially provided for.

XLII. For every offence against the provisions of this Act for which no special penalty is hereinbefore appointed, the offender shall be liable to a fine not exceeding two hundred Rupees, and in default of payment thereof to imprisonment for a term not exceeding one month.

Penalties in what Court recoverable.

XLIII. All fines imposed by this Act may be recovered, if for offences not committed within the local limits of the Town of Calcutta, in the manner prescribed for the recovery of fines by Section LXI. of the Code of Criminal Procedure, and if for offences committed within those limits, in the manner prescri bed for the recovery of penalties by Act XIII. of 1856 (for regulating the Police of the Towns of Calcutta, Madras, and Bombay) and Act XLVIII.

of 1860 (to amend Act XIII. of 1856) or any other Act for regulating the Police of the Town of Calcutta in force for the time being.

Government of Bengal may extend the operation of this Act to laborers going to other Districts besides Assam, &c.

XLIV. It shall be lawful for the Lieutenant-Governor of Bengal, by Notification in the *Calcutta Gazette*, to declare that this Act shall have effect (subject to any restriction, limitation, or proviso which the Lieutenant-Governor may think proper) as to laborers proceeding to any other District of Bengal besides the Districts of Assam, Cachar, and Sylhet, and thenceforth all the rules and provisions of this Act shall (subject to such restriction, limitation, or proviso, if any, as aforesaid) be applicable to the engagement and transport of all laborers proceeding to such other District.

Interpretation.

XLV. The following words in this Act shall have the meaning hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say)—

"Magistrate."

The word "Magistrate" in this Act shall mean any Magistrate of Police for the Town of Calcutta, and any Magistrate or other Officer exercising any of the powers of a Magistrate.

"Contractor."

The word "Contractor" in this Act shall be taken to mean, as well a person who contracts for the supply of laborers to others, as a person who employs Recruiters to engage and supply laborers for the purpose of serving such person himself.

"Laborer."

The word "Laborer" shall include artisans and mechanics.

"Steamer."

The word "Steamer" shall include any vessel propelled by steam, and any flat or barge towed by a steamer.

"India."

The word "India" shall mean any of the territories which are or may become vested in Her Majesty by the Statute 21 and 22 Vic. ch. 106, entitled "An Act for the better Government of India."

"Number."

Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number.

"Gender."

Words importing the masculine gender shall include the feminine.

Schedule A.

CONTRACTOR'S LICENSE.

Office of the Superintendent of Labor Transport at

A. B. is hereby licensed to act, within the local limits of my authority, as a Contractor for engaging and supplying persons for

the purpose of laboring for hire in the Districts of Assam, Cachar, and Sylhet,—under Act of 1863 of the Council of the Lieutenant-Governor of Bengal for making Laws and Regulations.

This license will be in force for one year only from this date.

Dated the day of

(Sd.) C. D.,

Superintendent of Labor Transport.

Schedule B.

RECRUITER'S LICENSE.

Office of the Superintendent of Labor Transport at

A. B. is hereby licensed to act on behalf of E. F. as a Recruiter for engaging or inducing persons to proceed to the Districts of Assam, Cachar, and Sylhet for the purpose of laboring for hire,—under Act of 1863 of the Council of the Lieutenant-Governor of Bengal for making Laws and Regulations.

This license will be in force for one year only from this date.

Dated the day of

(Sd.) C. D.,

Superintendent of Labor Transport.

AN ACT

PASSED BY THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA 25TH FEBRUARY 1863.

TO

Provide for the Adjudication of Claims to Waste Lands.

Preamble.

WHEREAS it is expedient to make special provision for the speedy adjudication of claims which may be preferred to waste lands proposed to be sold or otherwise dealt with on account of Government, and of objections taken to the sale or other disposition of such lands; It is enacted as follows:—

Claim to lands to be preferred to Collector, &c, before day of sale.

I. When any claim shall be preferred to any waste land proposed be sold or otherwise dealt with on account of Government or when any objection shall be taken to the sale or other disposition of such land, the Collector of the District in which such land is situate, or other Officer performing the duties of a Collector of Land Revenue in such District, by whatever name his Office is designated, shall, if the claim or objection be preferred within the period mentioned in the advertisement to be issued for the sale or other disposition of such land, which period shall not be less than three months, proceed to make an enquiry into the claim or objection.

Enquiry to be held by the Collector.

II. The Collector or other Officer as aforesaid shall call upon the claimant or objector to produce any evidence or documents upon which he may rely in proof of his claim or objection, and after considering the same and making any further enquiry that may appear proper, shall dispose of the case by an order for the admission or rejection of the claim or objection, and if the land is proposed to be sold, for the sale of the same subject to any condition or reservation, which to such Collector or other Officer as aforesaid shall appear to be proper. If the land is ordered to be sold, subject to any condition or reservation, such condition or reservation shall be notified to intending purchasers at the time of sale.

Pending enquiry, sale, &c., to be stayed.

III. Pending an enquiry into any claim or objection under the last preceding Section, the Collector or other Officer as aforesaid, shall postpone the sale or other disposition of the land, and if he shall order that such claim or objection be rejected, he shall further

postpone the sale or other disposition of the land to allow the claimant or objector to contest the order of rejection in the manner hereinafter provided.

If claim established, the sale is to be stopped.

IV. If the Collector or other Officer as aforesaid, shall consider the claim or objection to be established, and that the sale or other disposition of the land should not take place, he shall stop the sale or other disposition of the land: but such sale or other disposition of the land may afterwards be proceeded with if, on an order issued by the local Government to try the claim or objection, as provided in Section VI. of this Act, the claimant or objector shall fail to establish the same.

Procedure when claim or objection is rejected.

V. If the Collector or other Officer aforesaid shall order that the claim or objection be rejected, or that the land be sold subject to any condition or reservation, or that it be otherwise dealt with, he shall cause a copy of such order to be delivered to the claimant or objector, and if such claimant or objector shall not within one week from the delivery of such copy or within such further time as the Collector or other Officer as aforesaid for any special reason to be recorded, shall see fit to grant, give notice in writing to such Collector or other Officer as aforesaid that he intends to contest such order, the order shall be final. If the claimant or objector shall, within the time allowed, give such notice, the Collector or other Officer as aforesaid shall immediately make a report to the Board of Revenue or other superior Revenue Authority, and shall forward with such Report a copy of his order, stating fully all the circumstances of the case and the evidence adduced in support or otherwise of the claim or objection, and such Board or other Authority, on the receipt of such Report and after calling for any further information which it may consider necessary, may confirm, modify, or reverse the order of the Collector or other Officer as aforesaid. If the Board or other Authority as aforesaid, confirm the order of the Collector or other Officer as aforesaid, or modify such order in such manner as to leave any part of such order in force adverse to the claimant or objector, the Collector or other Officer as aforesaid shall certify such order to the Court, constituted as hereinafter provided, and such Court shall forthwith give notice to the claimant or objector, and if such claimant or objector shall not within thirty days from the delivery of such notice from the Court, institute a suit in such Court to establish his claim or objection, the order of the Board or other Authority aforesaid shall be final.

If claim admitted Government may within twelve months, order a suit to be brought to try it.

VI. The local Government may within twelve months after the date on which the claim of any claimant of waste land or the objection of any objector as aforesaid shall have been admitted under this Act by the Collector or other Officer as aforesaid, direct a suit to be brought to try

the claim or objection of the claimant or objector in a Court constituted as hereinafter provided.

A Special Court to be constituted for trying claims.

VII. For the investigation and trial of claims under this Act, the local Government shall constitute in every District in which there may be any waste lands capable of being sold, or otherwise dealt with on account of Government, a Court consisting of an uneven number of persons not less than three, of whom the Judge of the District or the Officer presiding, in the principal Civil Court of original jurisdiction in the District by whatever name his office may be designated, shall be one. Any one or more of the Members of which such Court shall consist, shall have power to make all such orders in the case as may be necessary prior to the hearing of the suit. Provided that whenever the Collector or other Officer by whom the original enquiry was held, is the Officer presiding in the principal Civil Court of original Jurisdiction in the District, such Officer shall not be a member of such Court.

Notice to be given of the constitution of Special Courts : claims not cognizable in other Courts.

VIII. Whenever any Court is constituted under this Act, notice thereof shall be given by a written proclamation, copies of which shall be affixed in the several Courts and in the offices of the several Collectors and Magistrates of the District: and from the date of the issue of such proclamation no other Court shall be competent to entertain any claim or objection belonging to the class of claims or objections for the trial and determination of which such Court is constituted.

Special Courts may be held when convenient.

IX. The Courts constituted under this Act shall be held at such place or places within the limits of their respective jurisdictions as shall be considered most convenient.

Collector, &c, to be plaintiff and claimant defendant in all suits.

X. In every suit instituted under Section V. of this Act, the claimant of the waste land or objector to the sale or other disposition of such land shall appear as plaintiff and the Collector or other Officer aforesaid, shall appear as defendant on the part of Government. Either party may appear by pleader or by agent. Provided that if such other Officer as aforesaid be the presiding Officer of the principal Civil Court of original jurisdiction in the District, the local Government shall appoint some other Officer to appear as defendant in the case on its behalf. In any suit ordered to be instituted by the Local Government under Section VI. of this Act, the Government, by any officer to be appointed for the purpose, shall appear as Plaintiff and the claimant or objector as aforesaid shall appear as Defendant.

Suits to be regulated by Civil Procedure Code : Stamps not chargeable in first instance.

XI. In suits instituted under this Act, except as hereinafter provided, the proceedings shall be regulated so far as they can be, by the Code of Civil Procedure.

Procedure before hearing of suit.

XII. The Court shall fix a day for the appearance of the parties and for the hearing of the suit, of which due notice shall be given to the parties or their agents, and on the day so fixed, the parties or their agents shall bring their witnesses into Court, together with any documents on which they may intend to rely in support of their respective statements. If either party require the assistance of the Court to procure the attendance of a witness on such day, he shall apply to the Court in sufficient time before the day fixed for the hearing of the suit, and the Court shall issue a Subpœna requiring such witness to attend the Court on that day. It shall be competent to the Court to require the personal attendance of the claimant of the waste land or objector as aforesaid on the day fixed for the hearing or at any subsequent stage of the suit.

Procedure on hearing.

XIII. On the day fixed for the hearing of the suit, or as soon after as may be practicable, the Court shall proceed to examine the claimant of the waste land or the objector or his agent (when his personal attendance is not required), and the witnesses of the parties, and upon such examination and after inspecting the documents of the parties and making any further enquiry that may appear necessary, shall proceed to pass such order in the case as it may consider just and proper.

No appeal.

XIV. No appeal shall lie from any decision or order passed under this Act, nor shall any such decision or order be open to revision.

Reference of any question of law, &c, may be made to High Court, &c.

XV. If, on the trial of any suit under this Act, any question of law or of usage having the force of law, or the construction of a document affecting the merits of the case shall arise, on which the Court shall entertain reasonable doubts, the Court may either of its own motion or on the application of any of the parties to the suit, draw up a statement of the case and submit it with its own opinion for the opinion of the High Court of Judicature, or of the highest Civil Court of Appeal and revision in the territory in which the land is situate. Provided that it shall be the duty of every Court held under this Act to make such reference to such High Court or Court of Appeal, if in any suit under this Act any question shall arise involving any principle of general importance or the rights of a class.

Court may proceed notwithstanding such reference.

XVI. The Court may proceed in the case notwithstanding a reference to the High Court or other highest Civil Court of Appeal as aforesaid, and may pass an order contingent upon the opi-

nion of the High Court or other Court as aforesaid on the point referred, but no final order for the sale or other disposition of the land in question in the suit, or for the admission or rejection of any claim, or objection which shall be before the Court in such suit shall be passed until the receipt of the order of the said High Court or highest Civil Court of Appeal.

XVII. The record of cases disposed of by Courts constituted under this Act, shall be deposited amongst the records of the principal Civil Court of original jurisdiction in the district in which the property in dispute is situate.

Records of cases where to be deposited.

XVIII. No claim to any land, or to compensation or damages in respect of any land, sold or otherwise dealt with on account of Government as waste land, shall be received after the expiration of three years from the date on which such land shall have been delivered by the Government to the purchaser, or otherwise dealt with. If within three years after any lands have been delivered by the Government to the purchaser, or otherwise dealt with, any claimant or objector shall prefer a claim to the land so delivered, or otherwise dealt with, or an objection to such sale, or to compensation or damages in respect thereof in the Court constituted under this Act for the District in which the land is situate, and shall show good and sufficient reason for not having preferred his claim or objection to the Collector or other Officer as aforesaid within the period limited under Section I. of this Act, such Court shall file the claim or objection making the claimant or objector plaintiff and the Collector of the District or other Officer as aforesaid (with the like provision as aforesaid, if such other Officer be the presiding Officer of the principal Civil Court of original jurisdiction in the District) the defendant in the suit, and the foregoing provisions of this Act shall be applicable to the trial and determination of the suit. The report of the Officer employed to give delivery or to take possession on the part of Government of the land sold or otherwise dealt with, shall be conclusive evidence as to the date on which such delivery was made or possession was taken.

Claim to land if not preferred within 12 months how to be dealt with.

XIX. In any case in which the land has been sold, if the Court shall be of opinion that the claim of the claimant is established, the Court shall not award the claimant possession of the land in dispute, but shall order him to receive from the Government Treasury by way of compensation a sum equal to the price at which the land was sold, in addition to the costs of suit.

If claim established, compensation to be given.

XX. If the land shall have been sold subject to any condition or reservation, or shall not have been sold, but shall have been otherwise dealt with on account of the Government and the Court

Compensation when land has not been absolutely sold.

shall be of opinion that the claim to such land, or the objection of an objector is established, the Court shall award the claimant or objector to receive such sum in respect of his interest in such land as shall be awarded in that behalf under the provisions of Act VI. of 1857 (for the acquisition of lands for public purposes) and thereupon the local Government shall proceed under the said Act to obtain an award of the value of such interest.

An award under the last Section to be in full satisfaction.

XXI. An award under any of the provisions of the two last preceding Sections shall be in full satisfaction of the claim of the claimant or objector, and shall bar any future claim on his part in respect to the land in suit resting on the same cause of action or on a cause of action which existed prior to the date of the sale or other disposition of the land on account of Government.

Government may award compensation though claim not regularly made if the land has been sold.

XXII. Nothing in this Act shall be held to prevent the local Government from awarding to any claimant of waste land sold on account of Government on proof to the satisfaction of the local Government of the claim of such claimant, (notwithstanding that he may not have preferred his claim either to the Collector or other Officer as aforesaid or to the proper Court constituted under this Act within the period prescribed by this Act), such amount of compensation for the said land, within the limit as to amount mentioned in Section XIX. of this Act, if the land has been sold not subject to any condition or reservation as to such local Government may seem proper.

Amount of compensation in other cases.

XXIII. If the land have been sold subject to any condition or reservation, or have been otherwise disposed of on account of Government, and any claim to such land or objection to the sale or other disposition of the land shall be proved to the satisfaction of the local Government, although not preferred to the Collector or other Officer as aforesaid, or to the Court constituted under this Act, within the period prescribed by this Act, the local Government may award to such claimant or objector such amount as to such local Government may appear to be the value of the interest of such claimant or objector in such land.

Interpretation.
Number.
Gender.

XXIV. Unless the contrary appears from the context, words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; and words importing the masculine gender shall include females.

Printed at the Military Orphan Press.

ORDERS BY THE LIEUTENANT-GOVERNOR OF BENGAL.

NOTIFICATION.

The 8th June 1863.

IN modification of the Notification dated the 18th of April last, published in the *Calcutta Gazette* of the 22nd idem, it is hereby declared that the following Stations in Assam shall be places of disembarkation under Section 27, Act III. of 1863 of the Lieutenant-Governor of Bengal in Council:—

Gowalparrah.	Dikoo Mookh.
Gowhatty.	Dhunseri Mookh.
Mungledye.	Kokila Mookh.
Tezpore.	Deebrooghur.

NOTIFICATION.—*The 9th June* 1863.—The following list of a portion of the lands reserved from sale under Rule 21, of the Rules for the sale of unassessed Waste Lands, issued by Notification of the Government of Bengal, dated the 30th August 1862, is published for general information:—

Register of Waste Lands in Burdwan, the property of Government, not available for grants under the Resolution of the Governor General in Council, dated 17th October 1861, *and the Rules issued by the Board, dated 14th October* 1862.

1	2	3	4	5	6
Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouza.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
1	Pergunnah Selampore, Thannah Aooshgram, in Burdwan.	Goopeenathpore (Lot.)	North, by public road in Foolzooree and Mamrah; East, by Khalpookhorea Village; South, by Grand Trunk Road; West, by public road near Jhowpahara.	A. R. P. 1,644 2 20	This land forms the subject of litigation between the Government and the Bengal Coal Company.

Register of Waste Lands in Assam, the property of Government, not available for grants under the Resolution of the Governor General in Council of 17th October 1862, and the Rules issued by the Lieutenant-Governor, dated 30th August 1682.

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouza.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
			NOWGONG.		
1 On the River Dhumsiri.	Mehal Morunjee ...	Mouzah Neez Morunjee.	Bounded in the East by Rengna Naga Hills, on the West by the Kulliani River, on the North by Morunjee, on the South by Meeker Hills.	3,000	For posts, planks, &c., for Government use.
2 On the Kulliani River.	Ditto ...	Ditto ...	Bounded on the East by the Kulliani River, on the West by Book Khat, on the North by Nomoli Ghur Tea Plantation, on the South by Harbecha Mouzah.	3,000	Ditto.
3 On the River Dipholoo.	Ditto ...	Ditto ...	Bounded on the East by Bagaree Purbut, on the West by Chikali, on the North by the River Burrumpooter, on the South by Hills.	4,000	Ditto.
4 On the River Dijoo.	Mehal Meekirpar ...	Mouzah Salanah	Bounded on the East by Kookarakata, on the West by the Choupnalah Tea Plantation, on the North by the River Nonai, on the South by Dooar Bamane.	2,000	Ditto.

5 On the River Nonoi.	Ditto ...	Mouzah Choupurnullah.	Bounded on the East by Meekir Hills, on the West by Baleejorce, on the North Chouapanullah, on the South by Hills.	2,000	Ditto.
6 On the River Honnah Soorogattee and Dheekarroo.	Mehal Jummoo Mookh ...	Mouzah Sill Dhurumpore	Bounded on the East by Dooar Dhekarroo, on the West Honnah Nuddee, on the North Purbut, on the South Digalphani.	5,000	Ditto.
7 On the River Jumoonamookh.	Ditto ...	Najirhaga ...	Bounded on the East Horinah, on the West Dooar Katiatallee, on the North Meekir Purbut, on the South Jumoonamookh.	2,000	Ditto.
8 On the River Jummoonamath.	Mehal Jummoonamooth	Mouzah Neez Dubkah.	Bounded on the East by Nazirhagah, on the West by Beloogoree, on the North by Meekir Purbut, on the South by Kissoree.	2,000	Ditto.
9 On the River Kapolee.	Ditto ...	Mouzah Neez Jummoonamookh.	Bounded on the East by Jummoonah, on the West by Chang Chokee, on the North by Neekaree, on the South by Kapolee.	1,000	Ditto.
10 On the River Ditto.	Ditto ...	Mouzah Sat Gow	Bounded on the East by Rung Khang, on the West by Burthall, on the North by Halodhee Khook, on the South by Rung Khang.	3,000	Ditto.
11	Mehal Datipan ...	Mouzahs Singanaree, Lowponee, Amori, Lootoomai and Burthul.	Bounded on the East by Burpanee, on the West by Amola Purbut, on the North by Amooree and Lampooree, on the South by Amoree.	7,000	Ditto.

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
12 On the River Burpanee.	Mehal Jummoonamookh	Mouzahs Rung Khang and Chuppola.	Bounded on the East by Rung Khang, on the West by Burpanee, on the North by Burthal and Rung Khang, on the South by Garrow Purbut.	5,000	For posts, planks, &c., for Government use.
13 On the River Dimal.	Mehal Datipar ...	Mouzahs Dhukin Shohoree and Amolah Purbut.	Bounded on the East by Burpanee, on the West the boundary of Barogag, on the North by Burpanee, on the South by Amola Purbut.	3,000	Ditto.
14 On the River Amolee.	Ditto ...	Mouzahs Dhukin Neeli and Dhukin Gooahoi.	Bounded on the East by Harlock, on the West the boundary of Mouzah Gooha, on the North by Amolee Nuddee, on the South by Khairam.	3,000	Ditto.
			SEEBSAGUR.		
1	Thannahs Seebsagur, Tangonnee, Sereckpore and Koonwarpur.	Seebsagur Nugur Mehal.	The boundaries of the Seebsagur Nugur Mehal.	The exact number of acres is not known, that will be determined when the District is regularly surveyed.	A portion of the Station will be reserved for that purpose.
2	Thannahs Golaghat, Tangonies, Madarpotah and Maw Khan.	Golaghat Mehal.	The boundaries of Golaghat Mehal	Ditto ...	Ditto.

3	Thannahs Jorehaut, Tangonies, Kurrunga, and Desoi.	Jorehant ...	Ditto of Jorehaut Mouzah ...	Ditto ...	Ditto.
4	Thannahs Joypore, Tangonee and Dhaphaber.	Jeypore ...	The boundaries of Jeypore Station	Ditto ...	Ditto.
5	Thannahs Seebsagur, Tangonee and Kowarpore.	Kowarpore ...	The boundaries of the Mouzah of Kowarpore.	Ditto ...	In the neighbourhood of the Station of Seebsagur.
6	Thannahs Tangonee and Khalagong.	Meteka ...	The boundaries of Mouzah Meteka, including the old place of Rungpore.	Ditto ...	Ditto.
7	Thannahs Seebsagur, Tagonee and Kala Ghong.	Bongang ...	Mouzah Bongang including the Bhoteepan Tank, its bank and ditch.	Ditto ...	Ditto.
8	Ditto Ditto	Saloogoree ...	The Bageedoli and Tank, together with its bank and ditch.	Ditto ...	May hereafter be required for Government purposes.
9	Tangonee Charing ...	Kataleegoan ...	Ditto of Goureesagur Tank ...	Ditto ...	Ditto.
10	Thannahs Seebsagur, Tangonee and Khalagong.	Borpatra Dale...	The Jaysagur and Noa Pookree with their banks and ditches.	Ditto ...	Ditto.
11	Thannahs Tangonee and Dhopabar.	Leelakotee ...	The place of Ghee Gong, also its moat, &c., also Borkola Bahar.	Ditto ...	Ditto.
12	Thannahs Seebsagur, Tangonee and Joktallee.	Meej Joktulla ...	The boundaries of Mouzah Joktulla, including Rajmoo and Mesagurh tanks, temple and ditch.	Ditto ...	Ditto.

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
13	ThannahsSeebsagur,Tangonee and Singradoe.	Namtee Dale ...	The Namtee Dale (temple) and tank with its banks.	The exact numer of acres is not known,that will be determined when the District is regularly surveyed.	May hereafter be required for Government purposes.
14	Thannahs Golaghat, Tangonee and Madarpoota.	Ahan Goan Sermatallee ...	The boundaries of Ahongong Sermatallee Mouzah.	Ditto ...	In the neighbourhood of the Station of Golaghat.
15	Thannahs Golaghat, Tangonee and Mokhawa.	Mokhawa ...	The boundaries of Mouzah Mokhawa.	Ditto ...	Ditto.
16	Thannah Seebsagur.	Tangonee Betharree.	The boundaries of Mouzah Betharree.	Ditto ...	In the neighbourhood of the Station of Seebsagur.
17	Thannahs Seebsagur, Tangonee and Kaloogaon.	Burpatra Dale	The boundaries of Mouzah Burpatra Dale.	The exact number of acres is not known, that will be determined when the District is regularly surveyed.	The land being situated in the neighbourhood of the Station of Seebsagur.
18	Thannahs Seebsagur, Tangonee and Kahmara.	Koowara ...	Kooamarah	Ditto ...	Ditto.

19	Thannahs Seebsagur, Tangonee and Hanserah.	Hanserah ...	The boundaries of Mouzah Kooamarah.	Ditto ...	Ditto.
20	Thannahs Seebsagur, Tangonee and Cherakpur.	Cherakpur ...	The boundaries of Mouzah Cherakpur.	Ditto ...	Ditto.
21	Thannahs Jorehaut, Tangonee and Korunga.	Jorehaut ...	The boundaries of Mouzah Jorehaut	Ditto ...	Ditto.
			LUCKIMPORE.		
1	Dinjoy ...	Teetadenaroo ...	East boundary of Meeree Pathar Mouzah, West by Messrs. Barry and Ryot's lands, North Maijan, South boundary of Lahawal Mouzah.	556	This piece of forest land on which valuable timber is growing is reserved for Government purposes.
2	Chaprie ...	Chaprie ...	East Mekhelahoorooah Sootee, West, Bamoonisootee River, North Burhampootur River, South Dibroo River.	2,000	This piece is reserved for thatching grass for Government purposes and for grazing cattle.
3	Ditto ...	Lalooapottah Chaprie.	East Nobhauga Sootee of Mekhelahoorooah, West Mekhelahoorooah, North confluence of Nobhauga Sootee and Mekeelahoorooah, South Dibroo River.	1,000	This piece of land is reserved for timber for Government purposes.
4	Jameera ...	Dibroomookh ...	East by Ryot's land, West Burmapootra, North Singhee Beel, South Mohpowaleemara Mouzah.	375	This piece is reserved for grazing cattle.

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
5	Ditto ...	Mohpowalee ...	East Road, West Berhampootra River, North-south boundary of Dibroomookh Mouzah, South Dighala Village.	562	This piece is reserved for timber and for grazing cattle.
6	Jameera ...	Dighalagao ...	East Ryot's land, West Berhampooter, North-south boundary of Mohpowalee Mouzah, South boundary of Kamargoo Mouzah.	750	In the neighbourhood of the Station of Seebsagur.
7	Ditto ...	Komargao ...	East Ryot's land, West Berhampooter, North Digholagoo Mouzah, South Rowmary.	750	Ditto.
8	Suddeea ...	Upper Suddeea	East Choonpoora Sootee, West Baleejan, North Koondeel, South Berhampooter River.	10,000	This piece of forest land on which valuable Timber is growing is reserved for Government purposes.
9	Ditto ...	Lower Suddeea	East Koondeelmookh and Diffo, West Ryot's land, North Digram Nuddee, South Koondeel.	15,000	Ditto.
10	Saikwah ...	Upper Saikwah	East Noa Dihing, West Saikwa River, South Dangaree River, North Berhampooter River.	15,000	Ditto.

11	Upper Muttock ...	Hoolungagaoree	East, West and North Dangoree River, South Dibroo River.	15,000	This piece is reserved for timber for Government purposes.
12	Namroop ...	Namroop ...	East Naraeolta, West Jaipore Allee, North Dibroo, South Dihing.	14,000	Ditto
13	Tengrie ...	Tengrie	East Nambobea Pathar, West Jaipore Allee, North Baleemora Pather, South Tippling.	10,000	Ditto.
14	Tenga Khat ...	Tenga Khat ...	East Laipoolee, West Jaoreegooree, North Sessr, South Tengraye.	9,000	Ditto.
15	Madar Khat ...	Madar Khat ...	East Digholee Hoala, West Katoneepar Shustro, North Ghogora, South Dihing.	10,000	Ditto.
16	Ditto ...	Ditto ...	East Katoneepar Shustro, West boundary of Jokaye, North Tipomiah, South Romaye.	5,000	Ditto.
17	Dinjoy ...	Dinjoy ...	East Dinjan Mehal, West Meereepathur, North Dibroo River, South Digholee Dinjay Pathur.	5,000	Ditto.
18	Dinjan ...	Dinjan ...	East boundary of Rungagorah Mouzah, West Dinjoy Mouzah, North Dibro, South Rungagorah Allee.	5,000	Ditto.
19	Bhodhara ...	Bhodhara ...	East Lyepoolee, West Chubwa Garden, North Poolanga, South Ghurbundee.	4,000	Ditto.

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
20	Rungagurah ...	Rungagurah ...	East Gaijan, West Hola, South Bujaltallee, North Dibroo.	400	This piece is reserved for timber for Government purposes.
23	Jamurah ...	Jamurah ...	East Ryot's land, West Berhampooter, North Patrogoo, South Poothawao Khaoirkoor.	1,000	This piece of forest land on which timber is growing is resreved for Government purposes.
24	Jokye ...	Kotoha ...	East Jokye Mouzah, West Janaf Balaye Beel, North Sessa River, South Dihing.	500	Ditto.
27	Suddia ...	Suddia ...	East Dikrong, West Dikrong and Dibangmookh, North Dibang, South Barbil.	15,000	This piece of forest land on which valuable timber is growing is reserved for Government purposes.
39	Ckeydwar ...	Narainpoor ...	Loohit River on all four sides ...	3,000	This plot is reserved for the growth of firewood and valuable timber.
40	Ditto ...	Bangphang and Katabarree ...	East Peesolah, West Sessah, North Ghur, South Hisingobhah Village.	7,000	Ditto.

41	Ditto ...	Guhpore ...	East Rice Field of Ghupoor, West Rice Field of Kolungpore, North Ghur, South Looheet.	8,000	Ditto.
42	Ditto ...	Gameeree ...	East Kareegang, West Ryots, North Ghur, South Allee.	6,000	Ditto.
43	Ditto ...	Ditto ...	East Kharay Mookh, West Booray Mookh, North Bottle Ghur, South Looheet.	5,000	Ditto.
44	Ditto ...	Kalabaree ...	East Mornadee, West Hoobenghy, North Allee, South Kharay.	2,000	Ditto.
45	Ditto ...	Ditto ...	East Borkoos Village, West Kookoorah Sooah, North Forest, South Village.	2,000	Ditto.
			KAMROOP.		
1	Desh Beltullah ...	Timber Mehal...	Unable to state the boundaries till properly surveyed by competent compass.	Supposed area 4,360	For the purpose of supplying Government with timber.
2	Dooar Bar Dooar ...	Ditto ...		„ 4,629*	
3	Ditto Bholagong with Kharija Bhoolagong ...	Ditto ...		„ 3,306	
4	Ditto Pautan ...	Ditto ...		„ 1,717	
5	Ditto Chaygong with Kharija Chaygong ...	Ditto ...		„ 2,642	
6	Ditto Bogri ...	Ditto ...		„ 6,611	
7	Ditto Bungong ...	Ditto ...		„ 5,287	
8	Ditto Bako ...	Ditto ...		„ 1,585	
9	Ditto Lookee ...	Ditto ...		„ 3,571	
10	Ditto Moirapore ...	Ditto ...		„ 3,306	
11	Desh Doomarooh ...	Ditto ...		„ 4,629	
12	Ditto Ranee ...	Ditto ...		„ 1,454	
13	Ditto Banbaree ...	Ditto ...		„ 3,966	

Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.
			DURRUNG.		
1	Nowdoar, Thannah Tezpore.	Bishnath ...	Bounded on the East by temple of Bishnath and Village, on the West by shops of Kyahs, on the North by Motuk Village, on the South by River Berhampooter.	72 acres	For the purpose of Government Station.
1	Chardoar, Thannah Tezpore.	Mohabhoyrub ...	Bounded on the East by Gorooa Gan, on the South by Bhyrubee River, on the West by Shookdub Beel, on the North by Mahabhoyrub Dewal.	157 „	Ditto Tezpore.
	Durrung, Thannah Durrung.	Chapai ...	Bounded on the East and South by Marasootee of Berhampooter River, on the North by Kya Gola of Rutton Chand Oswal, on the West by Mungledye River.	42 „	Ditto Sub-Division of Mungledye.

A. EDEN,

Secy. to the Govt. of Bengal.

THE following List of Lands reserved from sale under Rule 21 of the Rules for the sale of unassessed Waste Lands issued by Notification of the Government of Bengal, dated 30th August 1862, is published for general information:—

Register of Waste Lands in Nowgong and Durrung, Assam, the property of Government, not available for grant under the Resolution of the Governor General in Council, dated 17th October 1861, *and the Rules issued by the Board of Revenue, dated 14th October* 1862.

1	2	3	4	5	6
Number of Plot.	Pergunnah, Thannah, or other Sub-Division.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reasons of reservation.
No. 1. Forests South of Golaghat.	Mehal Morungee	Sakalee ...	East Dayang River; West Rengmah Naga Hills; North Mr. R. Spear's grant and the junction of Dayang and Dhunseeree Rivers; South Deemapoor.	About 500 square miles, or 3,20,000 acres.	For Timber for the use of Government.
No. 2. On the Dhunseeree River.	Ditto ...	Kullianee ...	East Rengmah Naga Hills; West Kullianee River; North Morkaotee; South Meekir Hills.	3,000	Ditto
No. 3. On the Kullianee River.	Ditto ...	Ditto ...	East Kullianee River; West Bokah Khat; North Noomollee Gursee grant; South Harbesah Meekirs Mouzah.	3,000	Ditto
1	Dowar Khalling	Hapereebareeand Shekker.	North Bhootan Hills; South road from Gurkhullah to Beegbaree; East boundary of Doar Bareegoma; West Bur Nuddee.	Those portions of Mouzahs Jhapereebaree and Shekker situated in Dowar Khalling on which Saul Timber grows.	Because the tract contains valuable Timber which is required for Government purpose.
2	Chardowar ...	.....	North Bhootan Hills; South a straight line running from Monayegaan to Baleeparah and in the Bhorobe River, as marked in the District Map of Durrung; East the Bhorobe River; West Dhunseeree River.	That portion of the Chardowar Forest on which the Coutchone Tree grows to any extent, as well as the portion of Saul Forest which lies on the right bank of Bhorobe River north of Baleeparah and near the Duffala Hills.	Because this tract contains Coutchone producing tree, as also Saul Forest.
3	Nowdoar ...	.....	This Doar is entirely unexplored, and therefore no boundaries can be given.	Any part of Nowdoar where valuable Timber grows in any abundance.	

A. EDEN,
Secy. to the Govt. of Bengal.

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Punch, (2 *Copies*).
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† Buddhiprakash.
† Buddhivardhak.
† Dnyanprasarak.
† Nyaya Durpan.
† Stree-Bodh.
† Tan Durostee.*(The Journal of Health).*

NEWSPAPERS.

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The Friend of India, *weekly.*
„ Hindoo Patriot, „
„ Indian Mirror, *fortnightly.*

English—(*Hongkong*).

The China Overland Trade Report, *fortnightly.*

English—(*Local*).

The Bombay Gazette, *daily*, (*Two copies*).
„ Bombay Times of India, *daily*, (*Two copies*).
„ *Bombay Govt. Gazette, *weekly.*

† Supplied gratuitously by the proprietors.
* „ „ by Pandurang Balibhadra Esq.

English—(*London*).

The Home News, *weekly.*
„ Illustrated London News, *weekly.*
„ Saturday Review, *weekly.*
„ Spectator, *weekly.*

English—(*Madras*).

The Indian Churchman & the Bombay Powla, *weekly.*

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NATURAL HISTORY, PHYSICAL GEOGRAPHY AND AGRICULTURE.

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THE HON'BLE JAGANNATHJEE SUNKERSETT AND COWASJEE JEHANGHEER READYMONEY ESQ.

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No. IV.

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NESSERWANJEE MANOCKJEE PETIT ESQ.

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No. V.

MORAL PHILOSOPHY, METAPHYSICS & LOGIC.

Presented by

NESSERWANJEE MANOCKJEE PETIT ESQ.

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378 Mental and Moral Science, Elements of. G. Payne. London, 1862. 1
379 —— Philosophy on the Inductive Method. J. D. Morell. London, 1862. 1
380 Metaphysic of Ethics. I. Kant. Edinburgh, 1836. 1
381 ——, Institutes of. J. F. Ferrier. Lon: 1856. 1
382 ——, Lectures on. Sir Wm. Hamilton, Bart. London, 1865. 2
383 Examination of Sir Wm. Hamilton's Philosophy. S. Mill London. 1865. 1
384 Morals, Principal Questions and Difficulties in. R. Price. London. 1758. 1
385 Moral Evidence. E. A. Smedley. Cambridge, 1850. 1
386 —— Science, Outlines of. A. Alexander. New-York, 1852. 1
387 ——, Elements of. F. Wayland. Bost: 1835. 1
388 ——, History of. R. Blakey. Edinb: 1836. 2
389 ——, System of. L. P. Hickok. Lon: 1353. 1
390 Morality and Polity, Elements of. Wm. Whewell. London. 1854. 2
391 Systematic Morality, Lectures on. Wm. Whewell. London, 1846. 1
392 Paley's Natural Theology, Discourse of. Lord Brougham. London, 1835. 1

393 Philosophical Dictionary. M. De Voltaire. London. 2
394 ———— Essays. D. Stewart. Edinburgh, 1818. 1
395 Locke's (John) Philosophical Works. J. A. St. John. London, 1843. 1
396 Philosophy & Religion. Rev. Wm. B. Galloway. London, 1845. 1
397 ————, History of:—Containing Lives, Opinions, Actions & Discourses of the Philosophers of Every Sect. T. Stanley. Lon: 1748. 1
398 ———— & Literature, Discussions on. Sir Wm. Hamilton, Bart. London, 1866. 1
399 ———— of Kant with Life. A. G. Henderson. London 1854. 1
400 ———— of Mind, History of. R. Blakey. Lon: 1850. 4
401 ———— of Morals. A. Smith. London, 1841. 2
402 ———— Feelings. J. Abercrombie. London, 1855. 1
403 ———— of the Powers of Man. D. Stewart. Edinburgh, 1828. 2
404 Ancient Philosophy, History of. Dr. H. Ritter & A. J. W. Morrison. London, 1846. 4
405 Moral ————; or the Duties of Man. G. Combe. Edinburgh, 1841. 1
406 ——— Philosophy, Elements of. D. Dewar. Lon: 1826. 2
407 ———— in England, History of. Wm. Whewell. London, 1852. . . . 1
408 ————, Lectures on the Study of. R. D. Hampden. London, 1835. . . . 1
409 ————, Outlines of. Stewart. Edinb: 1829. 1
410 ————, System of. F. Hutcheson. London, 1755. Two Vol. in One. . 1
411 Paley's Moral Philosophy with Annotations. R. Whateley. London, 1859. 1
412 Moral & Mental Philosophy, Sketches of. T. Chalmers. London, 1848. 1
413 Mental Philosophy. R. Mudie. London, 1838. . . 1

414 Ethical Philosophy, Dissertation on the Progress of. Sir J. Mackintosh. Edinb: 1862. 1
415 Modern ———, History of. M. V. Cousin. New-York, 1852. 2
416 Scholastic———, Lectures on. R. D. Hampden. Oxford, 1833. 1
417 Speculative ——— of Europe in the 19th Century. J. D. Morell. London, 1846. 2
418 ——————— from Kant to Hegel, Historical Development of. H. M. Chalybäus. Edinburgh, 1854. 1
419 Plato, & The Other Companions of Sokrates. G. Grote. London, 1865. 3
420 Psychology, Principles of. H. Spencer. Lon: 1855. 1
421 Psychological Inquiries. Sir B. C. Brodie. Lon: 1862. 1
422 Pure Reason, Critick of. I. Kant. London, 1838. 1
423 ———, Religion Within the Boundary of. I. Kant. Edinburgh, 1838. 1
424 Reid's (T) Works. Sir Wm. Hamilton, Bart. Edin: 1846. 1
425 Theory of Reasoning. S. Bailey. London, 1852. . 1
426 ——— Vision, Review of Berkeley's. S. Bailey. London, 1842. 1
427 Universe, True Intellectual System of The. R. Cudworth. London, 1845. 3
428 Utilitarianism. J. S. Mill. London, 1864. . . . 1
429 World, Faiths of The. A Dictionary of All Religions & Religious sects. Rev. J. Gardner. London. . 2
430 Worlds, Plurality of. Also A Dialogue on the Same Subject. W. Whewell. London, 1855. . 1
431 ———, Unity of. Rev. B. Powell. London, 1855. 1

No. VI.

POLITICS, POLITICAL ECONOMY, STATISTICS, LITERATURE AND PHILOLOGY.

Presented by

THE HON'BLE PEMABHOY HEMABHOY,
DHUNJEEBHOY FRAMJEE PATEL AND
KARSONDAS MADHAVADAS ESQUIRES.

432	English Constitution, Manual of. D. Rowland. Lon: 1859.	1
433	Europe, Political System of. A. H. L. Heeren. Oxf. 1834.	2
434	Exposition of 1851. C. Babbage. London, 1851. .	1
435	Foreign Policy, Thirty Years of. "The Right Hon'ble B. Disraeli." London, 1855.	1
436	Fox, Correspondence of. Lord J. Russell. Lon: 1857.	4
437	Government of Dependencies. G. C. Lewis. Lon: 1841.	1
438	———, Parliamentary. Earl Grey. Lon: 1858.	1
439	——— of India. Sir J. Malcolm. Lon: 1833.	1
440	———, Representative. J. S. Mill. Lon: 1865.	1
441	———, Local Self. &c. J. T. Smith. Lon: 1851.	1
442	Indian Affairs, Notes on. Hon'ble. F. J. Shore. Lon: 1837.	2
443	Nation, Polity of A. T. Chalmers. Glasgow. . . .	3
444	Palmerston (Lord), Opinions and Policy of. G. H. Francis. London. 1852.	1
445	Politics, Treatise on. G. C. Lewis. London, 1852.	2
446	Political Literature, History of. R. Blakey. Lon: 1855.	2
447	——— Science, Elements of. P. E. Dove. Edin: 1854.	1
448	——— & Social Science, Essays on. Wm. R. Greg. London, 1853.	2
449	Cobbett's Political Works, Selections from. J. M. & J. P. Cobbett. London.	6
450	Ricardo's (D) Works. J. R. Mc.Culloch. Lon: 1852.	1
451	Russell's (Lord J.) Colonial Policy. Earl Grey. Lon: 1853.	2
452	Capital, Currency, & Banking. J. Wilson. Lon: 1847.	1
453	India, Land Tax of. Neil B. E. Baillie. Lon: 1853.	1

454 Labouring Population, History of. J. D. Tuckett. London, 1846. 2
455 Population, Principles of. T. R. Malthus. Lon: 1826. 2
456 Political Economy & Taxation. D. Ricardo. Lon: 1819. 1
457 ———————— in Europe, View of The Progress of. T. Twiss London, 1847. . . 1
458 ————————, Definitions in. Rev.T.R.Malthus. London, 1853. 1
459 ————————, Lectures on. F. Wm. Newman. London, 1851. . . 1
460 ————————,————. D.Stewart.Edin:1856. 2
461 ————————,————. R.Whately.Lon:1855. 1
462 ————————, Principles of. J. R. Mc.Culloch. Edinburgh, 1864. 1
463 Taxation, Treatise on. J. R. Mc.Culloch. Lon: 1845. 1
464 Elocution, Practice of. B. H. Smart. London, 1864. 1
465 ————, Principles of. T.Ewing. Edinburgh, 1865. 1
466 Modern Reader & Speaker. D.C. Bell. Dublin, 1866. 1
467 Rhetoric, Elements of. S. Neil. London, 1854. . 1
468 ————, Philosophy of. G. Campbell. Lon: 1823. 1
469 Speeches & Addresses of the Prince Consort. Lon: 1862. 1
470 ———— of J. P. Curran. T. Davis. Dublin, 1862. 1
471 ———— of Sir Robert Peel. London, 1853. . . 4
472 Book of Days. R. Chambers. London, 1864. . . . 2
473 Chambers's Cyclopædia of English Literature. Lon: 2
474 ———— Journal of Popular Literature, Science & Arts. Lon:From 1854 to 63. 20 Vols.in 10. 10
475 ———— Repository of Tracts. Lon: 12 Vols. in 6. 6
Chambers's Library for the Young. 20 Vols. in 10.
476 Clever Boys. and Little Robinson. London. . . 1
477 Duty & Affection. Poems for Young People. Lon: 1
478 Fireside Amusements. & Truth & Trust. London. 1
479 History of England. & History of Scotland. Lon: 1
480 Old England, A Tale of. & Orlandino. London. . 1
481 History of France. & Alfred in India or Scenes in Hindoostan. London. 1

482 Moral Courage. & Self-Denial & Other Tales. Lon: 1
483 True Heroism. & Stead-fast Gabriel. London. . 1
484 Uncle Sam's Money-Box. & Grand-Mamma's Pockets. London. 1
485 The Whisperer. & The Swan's Egg. London. . 1
486 Calamities & Quarrels of Authors. I. Disraeli. London, 1859. 1
487 Chartism. Past & Present. T. Carlyle. London. . 1
488 Characteristics of Men, Manners, Opinions, Times &c. Earl of Shaftesbury. 1727. 3
489 Diversions of Purley. J. H. Tooke. London, 1840. 1
490 Dissertations & Discussions. J. S. Mill. Lon: 1859. 2
491 England in the Middle Ages, History of. T. Wright. London, 1846. 2
492 Essays, Critical & Miscellaneous. T. Carlyle. Lon: 4
493 ———. R. W. Emerson. London, 1858. . . . 1
494 ——— & Memoirs. Mrs. Jameson. London, 1846. 1
495 ———. M. Montaigne. London, 1721. 3
496 ——— On the Romance Languages. G. C. Lewis Oxford, 1835. 1
497 Fiction, History of. J. Dunlop. London, 1814. . . 3
498 The Fourth Estate. F.K.Hunt. Lon: 1850. 2 Vols. in. 1
499 Influence of Authority in Matters of Opinion. G. C. Lewis. London, 1849. 1
500 Latter-Day Pamphlets. T. Carlyle. London, 1858. 1
501 Liberty. J. S. Mill. London, 1859. 1
502 Lecture on Poetry and General Literature. J. Montgomery. London, 1833. 1
503 Liberal Education. Wm. Whewell. London, 1850. 1
504 Language & Literature of Antient Greece, Critical History of. Wm. Mure. London, 1857. 5
505 Literature of Ancient Greece. K.O.Müller. Lon: 1858. 3
506 ———, Classical. R. W. Browne. Lon: 1851. . 1
507 ———, Roman Classical. R. W. Browne. Lon: 1
508 ———, Amenities of. I. Disraeli. Lon: 1867. 1
509 ———, English; History of. T.B.Shaw. Lon: 1865. 1

510 Literature, English;Outlines of.T.B.Shaw.Lon:1849. 1
511 ———,———, and English Language. G. L. Craik. London, 1866. . . 2
512 ———, Dramatic, of the Age of Elizabeth. Wm. Hazlitt. London, 1840. 1
513 ———, European. Mrs. Foster. London, 1849. 1
514 ———, French; Hand-Book of. W. R. Chamber. Lon: 1
515 ———,———, in the 18th Century. A. Vinet. Edinburgh, 1854. 1
516 ———, German; Guide to. F. A. Moschzisker. London, 1850. 2
517 ———, Greek & Roman; Manual of. A. Matthiæ. Oxford, 1841. 1
518 ———, History of. Sir Wm. Boyd. Lon: 1846. 3
519 ———, Spanish. Alex. F. Foster. Edin: 1851. 1
520 ———, Universal; Hand-Book of. A. C. L. Botta. Boston, 1865. 1
521 Musæus, Tieck & Richter. T. Carlyle. Lon: 1863. 1
522 W. Meister's Apprenticeship & Travels. T. Carlyle. London, 1864. 2
523 Sidney's, (Sir Philip) Arcadia. Mrs. Stanley. Lon: 1725. 1
524 Utopia. Sir T. More. London, 1808. 1
525 Bacon's (Francis) Works. London. 1862. . . . 9
526 ———, (Lord) Novum Organum. J. Devey. Lon: 1858. 1
527 Brougham's, (H. Lord) Works. Lon: 1857. . . . 10
528 Goethe, Life & Works of. G. H. Lewes. Lon: 1855. 2
529 Letters of Horace Walpole. P. Cunningham. Lon: 1861. 9
530 ——— and Works of Lady Montagu. Lon: 1861. (two copies). 2
531 Sir Wm. Jone's Works. Lord Teignmouth. Lon: 1807. 13
Scott's (Sir Walter) Works. 3 Vols.
532 Miscellaneous Prose Works. Edinburgh, 1852. . 1
533 Napoleon Bonaparte, Life of. Edinb: 1855. . 1
534 Tales of A Grandfather. (History of Scotland). Edinburgh, 1855. 1
535 Smollett's Miscellaneous Works. T. Roscoe. Lon: 1866. 1

PHILOLOGY.

536 Affixes. S. S. Haldeman. Philadelphia, 1865. . 1
537 American Literature, Guide to. N. Trübner. Lon: 1859. 1
538 ———— & Oriental Literary Record. N. Trübner. 1865-66. 1
539 Analecta Ante-Nicæna. C. C. J. Bunsen. Lon: 1854. 3
540 Ancient Books to Modern Times, History of the Transmission of. I. Taylor. London, 1859. . 1
541 Bibliotheca Britannica; or General Index to British & Foreign Literature. R. Watt. Edinb: 1824. 4
542 ————Chethamensis. J. Radcliffe. Mancunii, 1791. 3
543 Biographia Britannica Literaria; or Biography of Literary Characters of Great Britain & Ireland. T. Wright. London, 1846. 2
544 British Catalogue of Books, From 1837 to 1852. S. Low. London, 1853. 1
545 ————————,————, Index. From 1837 to 1857. S. Low. Lon: 1858. 1
546 English,————, From 1835 to 63. S. Low. Lon: 1864. 1
547 ———————— of the Educational Division of the South Kensington Museum. Lon: 1865. 1
548 Cyclopædia Bibliographica. J. Darling. Lon: 1854. 2
549 Confucius, Works of. J. Marshman. Serampore, 1809. 1
550 Descriptive Ethnology. R. G. Latham. Lon: 1859. 2
551 English Language. R. G. Latham. London, 1862. 1
552 ————————, Origin & History of The. G. P. Marsh. London, 1862. 1
553 ————————,———— Ramifications of The. H. Welsford. Lon: 1845. 1
554 ———— Literature & British & American Authors, Critical Dictionary of. S. A. Allibone. Lon: 1859. 1
555 ———— Synonymes. G. Crabb. London, 1844. . 1
556 Grammatography. Reference to Alphabets of Ancient & Modern Languages. F. Ballhorn. Lon: 1861. 1
557 Hippolytus & His Age; or The Beginnings & Prospects of Christianity. C. C. J. Bunsen. London, 1854. 2

558 Literature of American Aboriginal Languages. H. E. Ludewig. London, 1858. 1
559 Language, Chapters on. Rev. F.W. Farrar. Lon: 1865. 1
560 ———, Essay on the Origin of. F. W. Farrar. London, 1860. 1
561 ———, Science of. Max. Müller. London, 1866. 2
562 Languages&MannersofEasternNations.J.Richardson. Oxford, 1778. 1
563 Language as a Means of Mental Culture. C. Marcel. London, 1853. 2
564 ———, Philosophy of. Sir J. Stoddart. Glas: 1861. 1
565 Languages; European, History of. A. Murray. Edin: 1823. 2
566 ——— of the Seat of War in the East. MaxMüller. London, 1855. 1
567 Libraries&Founders of Libraries. E. Edwards. Lon: 1864 1
568 ———, Memoirs of. E. Edwards. London, 1859. 2
569 Phrasis. J. Wilson. Albany, 1864. 1
570 Comparative Philology, Elements of. R.G.Latham. London. 1862. 1
571 Modern Philology. B.W. Dwight. New York, 1864. 2
572 Philological Studies. J.W. Gibbs. New Haven, 1857. 1
573 Universal History, Philosophy of. C. C. J. Bunsen. London, 1854. 2

No. VII.

LAW & JURISPRUDENCE.

Presented by

THE HON. MANGALDAS NATHOOBHOY & DINSHAW MANOCKJEE PETIT ESQ.

574 Actions at Law,Treatise on. R. J. Browne. Lon: 1843. 1
575 ————————. R. M. Kerr. London, 1861. . 1
576 Advocate, His Training, Practice, Rights, & Duties. E. W. Cox. London, 1852. 1
577 Bills of Exchange,Treatise on.Sir J.B.Byles.Lon:1862 1
578 Circumstantial Evidence, Principles of. Wm. Wills. London, 1862. 1
579 Civil Law, Elements of. J. Taylor. London, 1828. 1
580 Commercial Law of the World. L. Levi. Lon: 1854. 2
581 ————————, Commentaries on. H. Broom. London, 1864. 1
582 Conflict of Laws, Commentaries on. J. Story. Boston, 1865. 1
583 Contracts, Treatise on the Specific Performance of. E. Fry. London, 1858. 1
584 Coroner, Office of. Wm. Baker. London, 1851. . 1
585 Creditors, Composition & Arrangements with. Wm. Forsyth. London, 1854. 1
586 Criminal Pleading & Evidence. J. F. Archbold. London, 1862. 1
587 ———— Law of England. J.F.Stephen. Lon: 1863. 1
588 ————————. H. Wm. Woolrych. Lon: 1862. . 1
589 ———— Satutes of England & Ireland. J. F. Archbold. London, 1861. 1
590 Crown Office,Practice of the. J.F.Archbold. Lon:1844. 1
591 Digest, Analytical:—Containing Introduction, Appendix & Reports. W. H. Morley. London, 1852. 3
592 English Law, Digest of Principles of. G. Blaxland. London, 1839. 1
593 ————————, History of. G. Crabb. London, 1829. 1

594 Eminent Lawyers, Opinions of. G. Chalmers. Lon: 1858. 1
595 Equitable Chancery Jurisdiction. G. Spence. Lon: 1849. 2
596 Equity, Leading Cases in. White & Tudor. Lon: 1858. 2
597 ——, Principles of. J. S. Smith. London, 1856. 1
598 ——, Doctrine & Practice of. G. Goldsmith. Lon: 1862. 1
599 ——, Suit in. S. J. Hunter. London, 1865. . 1
600 Hindu & Mohammadan Law. Sir Wm. H. Macnaghten. London, 1865. 1
601 —— Law of Inheritance. H. T. Colebrooke. Madras, 1822. 1
602 Husband & Wife, Rights of. J. F. Macqueen. Lon: 1
603 International Law, Commentaries Upon. R. Phillimore. London, 1854. . 4
604 ——————, Wheaton's. Wm. B. Lawrence. London, 1863. 1
605 Jurisprudence, Dictionary of, or Wharton's Law—Lexicon. J. J. S. Wharton. Lon: 1864. 1
606 ——————, History of. D. C. Heron. Lon: 1860. 1
607 ——————, Lectures on. J. Austin. Lon: 1861. 3
608 ——————, Principles & Maxims of. J. Phillimore. London, 1856. 1
609 ——————, Medical. T. R. Beck. Lon: 1842. 1
610 ——————,——————. J. S. Forsyth. Lon: 1829. 1
611 ——————,——————. A. S. Taylor. Lon: 1861. 1
612 Justice of the Peace, (with Index). J. F. Archbold. London, 1859. 5
613 ——————, Burn's (with Supplement). London, 1845. 7
614 Law-Dictionary. Sir T. E. Tomlins, Knt. Lon: 1835. 2
615 ——, Practice of the. J. Chitty. London, 1837. . 3
616 —— Studies. S. Warren. London, 1863. . . . 2
617 —— of Attornies. J. Merrifield. London, 1830. 1
618 —— of Arbitrations & Awards. S. Billing. Lon: 1845. 1
619 ——————————. W. H. Watson. Lon: 1846. 1
620 —— of Arbitrator, Power & Duty. F. Russell. 1864. 1
621 —— of Bankruptcy. E. E. Deacon. London, 1864. . 2

622 Law of Charitable Trusts. O.D. Tudor. London, 1862. 1
623 —— of Contracts. J.C. Jun J.A. Russel. Lon: 1863. 1
624 ————————, Treatise on. C.G. Addison. Lon: 1862. 1
625 ——— Covenants, Practical Treatise on The. T. Platt. London, 1829. 1
626 ——— Evidence in Criminal Cases. T. Roscoe. Lon: 1862 1
627 ————————— as Administered in England & Applied to India. J. Goodeve. Calc: 1862. 1
628 ————————, Treatise on the Principles of. W. M. Best. London, 1866. 1
629 ————————, Practical Treatise of. T. Starkie. London, 1853. 1
630 ————————, Treatise on. J. P. Taylor. Lon: 1864. 2
631 —— of Executors & Administrators. E. V. Williams. London, 1856. 2
632 —— of Infants, Handy Book on. J. Ebesworth. Lon: 1861 1
633 —— Relating to the Custody of Infants. Wm. Forsyth. London, 1850. 1
634 —— of Injunctions, Treatise on The. Wm. R.H. Eden. London, 1821. 1
635 —— of Joint Stock Companies. L. Shelford. Lon: 1863. 1
636 —— of Lunacy. C. P. Phillips. London, 1858. . 1
637 —— of Landlord & Tenant. J.F. Archbold. Lon: 1864. 1
638 ————————. J. Wm. Smith. Lon: 1866. 1
639 —— of Libel. F. L. Holt. London, 1816. . . . 1
640 —— of Marriage, Divorce & Legitimacy. J. F. Macqueen. London, 1860. 1
641 —— of Nations, De Vattel. J. Chitty. London, 1834. 1
642 —— of Principal & Agent. E.C. Petgrave. Lon: 1857. 1
643 —— of Property. Sir E. Sugden. London, 1849. . 1
644 —— of Personal Property. J. Williams. Lon: 1864. 1
645 —— of Sheriff, Treatise on. R. C. Sewell. Lon: 1842. 1
646 —— of Vendors & Purchasers of Estates. E. Sugden. London, 1862. 1
647 Laws of British Shipping & Marine Assurances. J. Lees. London, 1865. 1

648 Laws of England, Elementary Principles of The. J. Guthrie. London, 1843. . . . 1
649 ——————, Principles of. R.Sargent.Lon:1843. 2
650 ——————, Commentaries on The.H.J.Stephen. London, 1863. 4
651 —— & Constitutions of England, History of the.T.C. Anstey. London, 1845. . . 1
652 —— of Shipping, System of. F. L. Holt. Lon: 1820. 2
653 Laws, Spirit of. M. De. Secondat. London, 1823. 2
654 Magisterial Synopsis. G. C. Oke. London, 1866. . 1
655 Marine Insurance, Arnould's.D.Maclachlan.Lon:1866. 2
656 Menu, Institutes of; or Mánava-Dherma-Sástra. G. C. Haughton. London, 1825. 1
657 Mercantile Law, Compendium of.J.W.Smith.Lon:1865. 1
658 Misdemeanors, Practical Treatise on. H.W.Woolrych. London, 1842. 1
659 New County Courts, Practice of.J.F.Archbold.Lon.1861 1
660 —— Practice of the Courts of Common Law at Westminster. J. F. Archbold. London, 1855. 1
661 Nisi Prius Evidence (Roscoe's Digest) T. Roscoe. Lon:1866 1
662 ———, Law of. J. F. Archbold. London, 1845. 2
663 Oriental Manners, Cases Illustrative of. Sir E. Perry. London, 1853. 1
664 Quarter Sessions, Practice of the Court of. J. F. Archbold. London, 1857. 1
665 Queen's Bench, Chitty's Archbold's Practice of the Court of. London, 1866. 2
666 Real Property, Leading Cases on.O.D.Tudor.Lon:1863. 1
667 Rights of War & Peace. W. Whewell. Camb. 1853. 1
668 Wills, Treatise on. T. Jarman. London, 1861. . 2
669 Wrongs & Their Remedies. C.G. Addison. Lon: 1864. 1
670 Pleading & Evidence. J. F. Archbold. Lon: 1837. 1

No. VIII.

POETRY & DRAMATIC WORKS.

Presented by

ARDASEER EDULJEE CHINOY, CULLIANDASS MOHUNDASS & NOWROSJI RASTOMJEE MOTABHOY ESQUIRES.

671 Alford's (Henry) Poetical Works. London, 1865. . 1
672 Allingham's (Wm.) Day & Night Songs; & Music-Master. London, 1860. . . 1
673 ———————— Ballad Book. London, 1864. . 1
674 Arnold's (Matthew) Poems. London, 1857. . . . 1
Aytoun's (William Edmondstoune) Poetical Works.
675 Bothwell A Poem in Six parts. London, 1858. 1
676 The Ballads of Scotland. London, 1861. . . . 2
677 Lays of Scottish Cavaliers & Other Poems. Lon: 1866 1
678 Ballantine's (James) Poems. London, 1865 . . . 1
679 Bannatyne's (G) Ancient Scottish Poems. Edinb: 1770. 1
680 Baillie's (Joanna) Poetical & Dramatic Works. London, 1853. 1
681 Bayly's (Thomas Haynes) Songs & Ballads. Lon: 1844. 2
682 Beaumont & Fletcher's Dramatic Works. Geo. Darley. London, 1840. 2
683 Beattie, Blair & Falconer's Poetical Works. Rev. Geo. Gilfillan. Edinburgh, 1854. 1
684 Beddoe's (T. L.) Poems. London, 1851. 2
685 Bloomfield's (Robert) Works. London, 1864. . . 1
686 Bowles' (Wm. Lisle) Poetical Works. Rev. Geo. Gilfillan. Edinburgh, 1855. 2
687 Britain, Poetry and Poets of; from Chaucer to Tennyson. D. Scrymgeour. Edinburgh, 1850. . 1
688 British Poets, Select Works of The. Dr. Aikin. Lon: 1
689 ————————, Chaucer to Jonson. R. Southey. Lon: 1
690 British Poets, Specimens of. T. Campbell. Lon: 1844. 1
691 ——— Ballads, Book of. S. C. Hall. London. . 1

692 Browning's (Elizabeth B.)Poetical Works. Lon:1866. 4
693 ———— (Robert) Poetical Works. London, 1865. 3
694 Bryant's (William Cullen) Poems. New York. . . 1
695 Bulwer Lytton's Dramatic Works. London, 1860. 1
696 ———————— Poetical Works. London, 1860. 1
697 Butler's (Samuel) Poetical Works. Rev.Geo. Gilfillan. Edinburgh, 1854. 2
698 Byron's (Lord) Poetical Works. London, 1866. . 1
699 Calderon's Dramas. D.F.Mac-Carthy. London, 1861. 1
700 Chaucer's (Geoffrey) Poetical Works. London, 1843. 1
701 Coleridge's (Hartley) Poems. London, 1851. . . 2
702 Collins' (William) Poetical Works. London, 1853. . 1
703 Comedies. D. Jerrold. London, 1853. 1
704 ———— & Dramas. D. Jerrold. London, 1854. . 1
705 Cornwall's (Barry) Dramatic Scenes &c. Lon: 1857. 1
706 Cowper's (William) Poetical Works. London, 1863. 1
707 Cook's (Eliza) New Echoes & Other Poems. Lon: 1864. 1
708 ———————— Poems. London, 1861. 1
709 Crabbe's(Rev.George)Life & Poetical Works.Lon:1861. 1
710 Crescent & Other Lyrics. H. Cholmondeley-Pennell. London, 1864. 1
711 Dante's Vita Nuova. T. Martin. London, 1864. . 1
712 De Vere's (Sir Aubrey) Dramatic Works. Lon: 1858. 2
713 ———————————— Song of Faith &c. Lon: 1842. 1
714 Drummond's (William) Poetical Works. Wm. B. Turnbull. London, 1856. 1
715 Dryden's (John) Poetical Works. London, 1832. . 5
716 English Idylls & Other Poems. Jane Ellice. Lon:1865. 1
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Miscellaneous.

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1654 Biography. Charles Knight. London, 1858. . 6
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1660 Dictionary of Arts, Manufactures & Mines. Ure. London, 1863. 3
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1664 ————,————. C. Richardson. London, 1863. 2
1665 ————, English-German. German-English. Chr. Fr. Grieb. London, 1842. . 2
1666 ————, English-Italian. Italian-English. J. Millhouse. London, 1864. . 2
1667 ————, English-Sindhi. Sindhi-English. Capt. George. Stack. Bombay, 1855. 2
1668 ————, French & English. L. Contanseau. Lon: 1865 1
1669 ————, Greek-English. Liddell & Scott. Oxf: 1863. 1
1670 ————, Hebrew & English. Parkhurst. Lon: 1823. 1
1671 ————, Hindūstānī-English & English-Hindūstānī. J. Shakespear. Lon: 1861. (2 copies.) . 1
1672 ————, Imperial. J. Ogilvie. London, 1863. . 2
1673 ———— of Latin Quotations. H. T. Riley. London, 1860. 1
1674 ————, Maráthí & English. J. T. Molesworth. Bombay, 1857. 1
1675 ————, Persian, Arabic & English. F. Johnson. London, 1852. 1
1676 ————, Walker's Pronouncing. London, 1865. 1
1677 ————, Provincial. J. O. Halliwell Lon: 1865. 2
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1681 Sharp's Gazetteer. London, 1852. 2
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1685 Grammar, Arabic. D. Forbes. London, 1863. . 1
1686 ————,————. M. Lumsden. Calcutta, 1813. 1
1687 ————, Comparative. F. Bopp. London, 1862. 3
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Rask's Zend-Sprache. (On the Zend Language.)
Haug's Ueber Die Pehlevi-Sprache. (On the Pehlavi Language). 1
——— Schrift & Sprache Der Reilfchrift-Gattung. (On Cuneiform Inscriptions). . . . . .

1702 Brockhaus' Vendidad Sade. (The Vendidad Sade, one of Zoroaster's Books). Edited by Brokhaus. . 1

1703 Burnouf's Commentaire Sur Le Yagna. (Commentary on the Yagna) Paris, 1833. . . . 1

1704 ——— Le Vendidad Sade. (Vendidad, one of the Books of Zoroaster.) Paris, 1829-43. . 1

1705 Burnouf's Observations De La Grammaire De. M. F. Bopp. (Observation on Bopp's Grammar.) .
Spiegel's Ueber Einige Eingeschobene Stellen im Vendidad. (Passages of the Vendidad).
——— 19th Fargard of the Vendidad. . . .
——— Stammverfassung of the Vendidad. . .
Windischmann's, Persische Anahita. (On Persian Mythology). . . . . .
——————— Ursagen Der Arischen Völker, (Persian Tales). . . . . .

1706 Burnouf's Extrait D'un Commentaire. (Extract of a Commentary on the Vendidad). . . .
Lettre, A. M. Mohl. . . . . .
Bréal's Geographie De L'Avesta. (Geography of the Avesta). . . . . .
Gosche's De Ariana Linguae. (On the Persian Language). . . . . .
Müller's Verbalausdruck im Arisch-Semitischen. (On Verbs in the Persian Language). . 1

1707 Dorn & Schafy's, Kenntniss Der Iranischen Sprachen. Vol. I. II. Part I. & III. (On Iranian Languages.) 2
1708 Du Perron's, Anquetil, Zend-Avesta. 3
1709 Franck's Etudes Orientales (Oriental Studies). . 1
1710 Gobineau's, Textes Cuneiformes (On Cuneiform Texts.) 1
1710A Ditto. Ditto. Ditto. Translated by Muncherji Cawasji Shapoorji L. Bombay, 1865. 1
1711 9 Pamphlets of Grotefend on Cuneiform Inscriptions. 1
1712 Grotefend's, Inscriptions at Nimrud. . . . .
Mordtmann's, Münzen. (On Coins). . . . . .
Roth's Die Sage Von Dschemschid. (Tales). . .
Olshausen's Die Pehlewi-Legenden. (Pehlavi Legends.) 1
1713 Gumpach's Die Zeitrechnung der Babylonier (Chronology of the Babilonians). 1
1714 Haug's Zendstudien. (Zend Studies). 1
1715 Haug's Die Fünf Gáthá's. (The Five Gáthás.) . . 1
1715A Destur Hoshengji Jamaspji's An Old Zend-Pahlavi Glossary. 1867. 1
1716 Hyde's Veterum Persarum Religio. (Religion of the Old Persians.) 1
1717 Justi's Handbuch Der Zendsprache (Dictionary of the Zend Language.) 1
1718 Kohut's Angelologie (On Angelology & Daemonology). 1
1719 Kossowicz's Avesta, Translated into Persian. . . 1
1720 ——— Decem Sendavestæ Excerpta. (Ten Pieces of the Zend Avesta). 1
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Vuller's Fragmente (Fragment relate to Zoroaster). 1
1725 Olshausen's Zend Avestae. Pars XX. (Part XX. of the Zend Avesta. 1

1726 Oppert's Inscriptions Assyriennes. (Assyrian Inscriptions.) . . . . . .
1726 ——— Lautsystem Des Altpersischen. (On the Sound of the Old Persians.) . . . . .
1726 ——— L'Honover. . . . . .
1726 ——— Etat Du Dechiffrement.(on Dechiffrement). 1
1727 Oppert's Voyage on Mesopotamie. 1 Vol. & Atlas. (Travels in Mesopotamy.) Paris, 1843. . 2
1728 Pastoret's Zoroastre. 1
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II.	1859	Animals & Plants, Variation of. C. Darwin. London, 1868	2
III.	1860	Anatomy. H. Gray. London, 1866. . .	1
IV.	1861	Annals of a Quiet Neighbourhood. G. MacDonald. London, 1867.	1
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Class.	Nos. of Books.	Names of Books.	Vols.
IV.	1866	Holy-Land. W. H. Dixon. London, 1868.	1
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,,	1868	Spiritual Wives. W. H. Dixon. Lon: 1868.	2
,,	1869	The First Man & His Place in Creation. G. Moore. London, 1866.	1
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,,	1872	Remains, Philosophical. J. F. Ferrier. London, 1866.	2
,,	1873	Philosophy, History of. G. H. Lewes. London, 1867.	2
,,	1874	————, Positive. A. Comte. London. .	2
VI.	1875	The Company & the Crown. T. J. H. Thurlow. London, 1866.	1
,,	1876	European Politics, Studies in. M. E. G. Duff. Edinburgh, 1866.	1
,,	1877	Indian Government, Defects of. Sir C. J. Napier. London, 1853.	1
,,	1878	——— Polity. G. Chesney. London, 1868.	1
,,	1879	International Policy. London, 1866. . .	1
,,	1880	Reform, Essays on. London, 1867. . . .	1
,,	1881	Reformed Parliament, Questions for a. London, 1867.	1
,,	1882	Reign of Law. Duke of Argyll. Lon: 1868.	1
,,	1883	Statistical Abstract of India. London, 1868.	1
,,	1884	Wood's Administration of Indian Affairs, 1859-66. A. West. London, 1867. . . .	1
,,	1885	Correspondence of Lord Auckland. London, 1861.	2
,,	1886	——————— T. Raikes. Lon: 1861.	1
,,	1887	Miscellanies. C. Kingsley. London, 1860. .	2
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VIII.	1890	Poems & Ballads. A. C. Swinburne. London, 1866.	1
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Class.	Nos. of Books.	Names of Books.	Vols.
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,,	1894	Magdala, March to. G. A. Henty. London, 1868.	1
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,,	1942	——————— Sir P. Francis. Parkes & Merivale. London, 1867. . .	2
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,,	1944	Armadale. London, 1866. . . .	2
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,,	1947	Woman in White. London, 1865. .	1
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,,	1997	Holiness, Pursuit of. E. M. Goulburn. London, 1871.	
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,,	2000	Lord, Miracles of Our. G. Mac Donald. London, 1870.	
V.	2001	Aristotle. G. Grote. London, 1872.	
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V.	2003	Juventus Mandi. W. E. Gladstone. Lon: 1870	1
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,,	2019	War, Conversations on. London, 1871.	1
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,,	2023	Euripides. W. B. Donne. Lon. 1872.	1
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IX.	2055	India, Sepoy War in. J.W. Kaye. Lon.1870.	2
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„	2079	Life of Bismarck. J. G. L. Hesekiel. London, 1870.	1
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„	2081	——— Dickens. (Charles) London. . . .	1
„	2082	——————————— J. Forster. London, 1872. Vol. I.	1
„	2083	——— Galileo. London, 1870.	1
„	2084	——— Palmerston, (Lord). Sir. H. L. Bulwer. London, 1870. . . .	2
„	2085	Lives of the Archbishops of Canterbury. W. F. Hook. London, 1867. . . .	5
„	2086	——————————— ——— (New Series.) London, 1872.	4
„	2087	———————Chancellors of Ireland. J. R. O'Flanagan. London, 1870 . . .	2
„	2088	Biography of Sir John Eliot. J. Forster. London, 1864.	2
„	2089	Memoirs of R. Chambers. London, 1872. .	1
„	2090	Premiers, English. J.C. Earle. London, 1871.	1
„	2091	Recollections of Lord Byron. Guiccioli. London 1869.	2
XII.	2092	Bessy Rane. Mrs. H. Wood. London, 1870.	3
„	2093	Brave Lady. London, 1870.	3
„	2094	Canterbury's, (George) Will. Mrs. H. Wood. London, 1870.	3
„	2095	Christian's Mistake. London, 1865. . . .	1
„	2096	Conquering Hero. London, 1871. . . .	2
„	2097	Day By The Fire. L. Hunt. London, 1870.	1
„	2098	Desperate Remedies. London, 1871. . .	3
„	2099	Dickens, Charles. Child's History of England. London.	1

Class.	Nos. of Books.	Names of Books.	Vols.
XII.	2100	Dombey & Son. London.	1
,,	2101	Hard Times & Pictures From Italy. London.	1
,,	2102	Mystery of Edwin Drood. Lon. 1870.	1
,,	2103	Our Mutual Friend. London, 1865.	1
,,	2104	Drawn From Life. A. Forbes. London, 1871.	3
,,	2105	Duke's Honour. E. Wilberforce. Lon. 1870.	3
,,	2106	Fenton's Quest. London, 1871.	3
,,	2107	Five Old Friends. London, 1868. . . .	1
,,	2108	Forgotten By The World. London, 1870. .	3
,,	2109	France, Fair. London, 1871.	1
,,	2110	Gordon's, (James) Wife. London, 1871. .	3
,,	2111	Golden Friars, Chronicles of. J. S. Le Fanu. London, 1871.	3
,,	2112	Iliad Of the East. F. Richardson. Lon. 1870.	1
,,	2113	Lady Of Lyndon. L. Blake. London, 1871.	3
,,	2114	Lady's Mile. London, 1866.	3
,,	2115	Lovels of Arden. London, 1871.	3
,,	2116	Lothair. B. Disraeli. London, 1870. . .	3
,,	2117	Malvina. H. S. Edwards. London, 1871.	3
,,	2118	Man & Wife. W. Collins. London, 1870. .	3
,,	2119	Martha. W. Gilbert. London, 1871. . .	3
,,	2120	My Little Lady. London, 1871. . . .	3
,,	2121	Next Generation. J. F. Maguire. Lon. 1871.	3
,,	2122	No Appeal. London, 1870.	3
,,	2123	Olive. London.	1
,,	2124	Prey Of the Gods. F. Marryat. Lon. 1871.	3
,,	2125	Prussian Spy. V. Valmont. London, 1871.	2
,,	2126	Realmah. London, 1868.	2
,,	2127	Roland Yorke. Mrs. H. Wood. Lon. 1869.	3
,,	2128	Rule Of the Monk. G. Garibaldi. Two Vols. in One. London.	1
,,	2129	Sarchedon. G. J. W. Melville. Lon. 1871.	3
,,	2130	Terrible Temptation. C. Reade. Lon. 1871.	3
		Thackeray, W. M.	
,,		Henry Esmond & Barry Lyndon. 1872.	1
,,		Pendennis, History of. London, 1871.	1
,,		Vanity Fair. London, 1871. . . .	1

Class.	Nos. of Books.	Names of Books.	Vols.
		Trollope, A.	
XII.	2131	Claverings. Two Vols in One. London, 1867.	1
„	2132	Editor's Tales. London, 1870. .	1
„	2133	He Knew HeWasRight. Lon:1869	1
„	2134	Hotspur (Sir Harry). Lon: 1871.	1
„	2135	Orley Farm. London, 1862. . .	1
„	2136	Phineas Finn. Two Vols. in One. London, 1869	1
„	2137	Ralph The Heir. London, 1871 .	3
		Trollope, T. A.	
„	2138	Durnton Abbey. London, 1871 .	3
„	2139	Gemma. London, 1866	3
„	2140	La Beata. London, 1861 . . .	2
„	2141	Leonora Casaloni. Two Vols. in One. London, 1868	1
„	2142	Siren. London, 1870.	3
„	2143	Two FairDaughters.P.Fitzgerald.Lon:1871.	3
„	2144	—— Marriages. London, 1867.	2
„	2145	Ursula. London, 1858.	2
„	2146	Vikram & The Vampire. R. F. Burton. London, 1870.	1
„	2147	White & Black. London, 1862.	3
„	2148	Woman's Business. M. Savage. Lon. 1870.	3
„	2159	————Ransom.F.W.Robinson.Lon:1864	3
„	2150	————Thoughts About Women. London.	1
XIII.	2151	Clergy, A Book About The. J. C. Jeaffreson. London, 1870	2
„	2152	Doctors, A Book About. J. C. Jeaffreson London	1
„	2153	Judgments, Literary and Social. W. R. Greg. London, 1868	1
„	2154	Lawyers, A Book About. J. C. Jeaffreson. London, 1867	2
„	2155	London; Its Celebrated Characters & Remarkable Places. J. W. Jesse. Lon: 1871.	3
„	2156	London, Terrible Sights of. T. Archer, Lon.	1
„	2157	Wonders, World Of. London	1
XVI.	2158	Kashmir. H. H. Cale. London. 1869. . .	1

ARDASEER FRAMJEE MOOS,
Honorary Secretary.

Continued.

THE

BOMBAY NATIVE GENERAL LIBRARY.

Books received as presents from Government, the Director of Public Instruction &c. and from the Library's Booksellers in England purchased on account of the Bombay Native General Library, are now in the Library for the inspection of Members and Subscribers, and will be issued on the 19th day of August 1874.

Members requiring any of the undermentioned Works, will be pleased to send in a list of such to the Librarian on or before the 17th day of August 1874.

FRAMJEE COWASJEE INSTITUTE, 12*th August* 1874.

CLASS.	NOS. OF BOOKS.	NAMES OF BOOKS.	VOLS.
I.	2159	Architecture, Modern, History of. J. Fergusson. London, 1873.	1
,,	2160	Venice, Stones of. J. Ruskin. London, 1873.	3
,,	2161	Moon. R. A. Proctor. London, 1873. . .	1
,,	2162	Light, Six Lectures on. J. Tyndall. Lon. 1873.	1
,,	*101	Chemistry, Dictionary of. H. Watts. Vols. V & VI. London, 1872.	2
,,	1858	Science & Art, Year-Book of Facts in. J. Timbs. 1870-71-72-73. London. . . .	4
,,	2163	Sciences, Classification of. Spenser. 1871. .	1
,,	2164	†Manufactures & Arts of the Punjab. B. H. B. Powell. Lahore, 1872.	1

* Please See Pages 5 and 99. † Book presented.

Class.	Nos. of Books.	Names of Books.	Vols.
I.	2165	Workshop Appliances. C. P. B. Shelley. London, 1873.	1
,,	2166	Natural Philosophy. A. P. Deschanel. London, 1873.	1
II.	2167	Fertilizers, Pure. C. Morfit. London, 1873.	1
III.	2168	Biology, Principles of. H. Spencer. Lon:1867.	2
,,	2169	Human Physiology. T. L. Nichols. Lon:1872.	1
IV.	2170	Divine Government, Method of. J. M'Cosh. London, 1870.	1
,,	2171	Faith, Eclipse of. London, 1870.	1
,,	2172	Jesus, Life of. D. F. Strauss. London, 1865.	2
,,	2173	——, ——. E. Renan. London, 1873	1
,,	2174	Literature & Dogma. M. Arnold. Lon: 1873.	1
,,	2175	Muhammadanism in India. H. C. Bowen. London, 1873.	1
,,	2176	Religion, Science of. F. Max Müller. Lon:1873.	1
,,	2177	Religions, Oriental. S. Johnson. Boston, 1872.	1
,,	2178	Revelation, Philosophy of. T. Frewen. London, 1873.	1
,,	2179	†Swedenborg (E.), Writings & Life of. W. White. London, 1867.	2
,,	2180	Unorthodox London. C. M. Davies. Lon:1874.	1
V	2181	Ethics, Old Fashioned. W. T. Thornton. London 1873.	1
,,	2182	Philosophy, History of. F. Ueberweg. London, 1874.	2
,,	2183	Philosophical & Theological Essays. J. Martineau. Boston, 1868.	2
,,	2184	Principles, First. H. Spencer. London, 1870.	1
,,	2185	Psychology, Principles of. H. Spencer. London, 1872.	2
,,	2186	Social Statics. H. Spencer. London, 1868	1
VI.	2187	Education H. Spencer. London, 1861.	1
,,	2188	Liberty, Equality, Fraternity. J. F. Stephen. London, 1874.	1
,,	2189	National Debts. R. D. Baxter. Lon: 1871.	1
,,	2190	Political Economy. H. Fawcett. Lon: 1874.	1
,,	2191	——— ———. J. E. T. Rogers. Oxf. 1869.	1

† Book presented.

Class.	Nos. of Books.	Names of Books.	Vols.
		*Ancient Classics For English Readers.	
VI.	2192	Aristophanes. W. L. Collins. Lon: 1872.	1
,,	2193	Hesiod & Theognis. J. Davies. London, 1873.	1
,,	2194	Plautus & Terence. W. L. Collins. London, 1873.	1
,,	2195	Tacitus. W. B. Donne, London, 1873.	1
,,	2196	Critiques & Addresses. T. H Huxley. Lon: 1873.	1
,,	2197	Essays, Historical. E. A. Freeman. Lon: 1873.	2
,,	2198	Friends in Council (New series). London, 1859.	2
,,	2299	Miscellaneous & Posthumous. Works of H. T. Buckle. London, 1872	3
,,	2200	Modern Culture. E. L. Youmans. Lon: 1867.	1
,,	2201	Thoughts, Beautiful, From Greek Authors. C. T. Ramage. Liverpool, 1864.	1
,,	2202	———, ———, ——— Latin Authors. C. T. Ramage. Liverpool, 1869.	1
,,	2203	———, ———, ——— French & Italian Authors. C. T. Ramage. Liverpool, 1866.	1
VII.	2204	Jurisprudence, Medical, For India. N. Chevers. Calcutta, 1870.	1
,,	2205	——— ———, Science of. S. Amos. Lon: 1872.	1
,,	2206	Law, Ancient. H. S. Maine. London, 1870.	1
,,	2207	Parliamentary Practice. Sir T. E. May. London, 1873.	1
,,	2208	Possession, Savigny's. Sir E. Perry. London, 1848.	1
VIII.	2209	Prince Albert. A Peom. Muncherjee Cawasjee Bombay, 1870.	1
,,	2210	Last Tournament. A. Tennyson.	1
,,	2211	†Milton's Paradise Lost, Books III & IV. Bombay, 1872.	1
,,	2212	Poems. R. W. Emerson. Boston, 1865.	1
,,	2213	Virgil, Æneid of. J. Conington. London, 1873.	1
IX.	2214	Asia, Empire in. W. M. Torrens. London, 1872.	1

* Please See Pages 107 and 108. † Book presented.

Class.	Nos. of Books.	Names of Books.	Vols.
IX.	2215	†East India Company, Constitution of. Mancherjee M. Bhownaggree. Bombay, 1872.	1
,,	2216	India, Administration of. I. T. Prichard. London, 1869.	2
,,	2217	†——, Archæological Survey of. A. Cunningham. Calcutta, 1874.	4
,,	2218	——, History of. M. Elphinstone. Lon: 1866.	1
,,	2219	——, ——. R. Orme. London.	4
,,	2220	——, ——. S. Owen. London, 1872.	1
,,	*1899	——, Englishman in. C. Raikes. Lon: 1867.	1
,,	2221	——, Western. Sir G. Le G. Jacob. London 1872.	1
,,	2222	Indian Historical Subjects, Essays on. G. B. Malleson. London, 1866.	1
,,	2223	Mankind, Early History of. E. B. Tylor. London, 1870.	1
,,	2224	†Orissa. W. W. Hunter. London, 1872.	2
,,	2225	Sepoy War 1857-58, Incidents in. H. Knollys. London, 1873.	1
,,	2226	England, Constitutional History of. T. E. May. London, 1871.	3
,,	2227	Pre-Historic Times. Sir J. Lubbock. London, 1869.	1
X.	2228	Livingstone in Central Africa. H. M. Stanley. London, 1874.	1
XI.	2229	Autobio-graphy. J. S. Mill. London, 1873.	1
	2230	Life of Grote, (G.) Mrs. Grote. London, 1873.	1
,,	2231	Life of Mohammed. Syed Ameer Ali. London, 1873.	1
,,	2232	—— & Labours of Mr. Brassey. A. Helps. London, 1872.	1
,,	2233	Lives of Lyndhurst & Brougham. J. Lord Campbell. London, 1869.	1
,,	2234	Memoir of Lord Denman. Sir J. Arnould. London, 1873.	2
XII.	2235	Coming Race. Bulwer. London, 1873.	1
,,	2236	Middlemarch. G. Eliot. London, 1873.	4
,,	2237	Mother's Recompense. G. Aguilar. Lon: 1873.	1

* Please see Page 101 † Books presented

Class.	Nos. of Books.	Names of Books.	Vols.
XII.	2238	Old Kensington. Miss Thackeray. Lon: 1873.	1
,,	2239	Parisians. E. B. Lord Lytton. London. . .	4
,,	2240	Roland Yorke. Mrs. H. Wood. London. .	1
,,	2241	Turkish Tales. M. P. De La Croix. Bombay. 1871.	1
,,	2242	Woman in the Blue Cloak. Poona. . . .	1
XIII.	2243	†Hindu Tribes & Castes. Rev. M. A. Sherring. London, 1872.	1
,,	2244	Man, Past, Present & Future in. L. Buchner. London, 1872.	1
XIV.	2245	Encyclopædia, Chambers's London, 1868. .	10
,,	2246	Dictionary, Pali Language. W. Subhuti. .	1
,,	2247	† ———, Sanskrit—English. M. Willams. Oxford, 1872.	1
,,	2248	———Sanskrit-English. T. Benfey. London, 1866.	1
,,	2249	———, Sanskrit. Bohtlingk & Roth. St. Petersburg, 1868.	6
,,	2250	———of Phrase & Fable. E. C. Brewer. London.	1
,,	2251	Thesaurus of English Words & Phrases. P. M. Roget. London, 1873.	1
,,	2252	Grammar, Sanskrit. T. Benfey. Lon: 1868.	1
,,	2253	———, ———. F. Kielhorn. Bom: 1870.	1
,,	2254	——— ———, ———. Max Müller. Lon: 1866.	1
,,	2255	†Aryan, Modern, Languages of India, Grammar of. J. Beames. London, 1872. . . .	1
XV.	2256	Mainyo-I-Khard. E. W. West. London, 1871.	1
,,	2257	Abhidhanak Intamani. Hemakandra. St. Petersburg. 1847.	1
,,	2258	Acvalayana. A. F. Stenzler.	1
,,	2259	†Bal Bhasha, Grammar of.	1
,,	2260	Bhagvat.	2
,,	2261	† ———Bhason.	1
,,	2262	Buddhaghosha's Parables. Captain T. Rogers. London, 1870.	1
,,	2263	Chips. From A German Workshop. F. Max Müller. London, 1870.	3

† Books presented.

Class.	Nos. of Books.	Names of Books.	Vols.
XV.	2264	†Essays, Miscellaneous. H. T. Colebrooke. Madras, 1872.	2
,,	2265	Kadambari..	1
,,	2266	Kavya Kalapa.	1
,,	2267	†Kumara Sambhava. Dr. Bhnu Daji. Bombay, 1874.	1
,,	2268	Laxami Sahastra.	1
,,	2269	Le Lotus De La Bone Loi. M. E. Burnouf. Paris, 1852.	1
,,	2270	Linga Puran.	1
,,	2271	Mahabharut.	6
,,	2272	Punch Dashee Sateek.	1
,,	2273	Prusunga Bhurun.	1
,,	2274	Radices Linguæ Sanscritæ N. L. Westergaard. 1841.	1
,,	2275	Raj-Taran-gini.	1
,,	2276	Ramayana. Valmick.	3
,,	2277	†———— Copied From Homer. Kashinath T. Telang. Bombay, 1873. . .	1
,,	2278	Rig-Veda-Sanhita. F. Max Müller. London, 1869 (vol. 1)..	1
,,	2279	Sahitya Sar.	1
,,	2280	Sanskrit, Original, Texts. J. Muir. Lon: 1872.	5
,,	2281	† —— Ditto. —— Ditto. ————.	4
,,	2282	Vasa Vadata.	1
,,	2283	Vidghadh Mukhamandan.	1
XVI.	2284	Old England. C. Knight London. . . .	2
,,	2285	Plantæ Asiatice Rariaries.	3
		Maps.	
,,	2286	Botanical.	1
,,	2287	Ethnological.	1
,,	2288	Geographical.	1
,,	2289	Geological.	1
,,	2290	Human Physiology.	2
,,	2291	Zoological.	1

† Books presented.

Continued.

THE

BOMBAY NATIVE GENERAL LIBRARY.

BOOKS received from the Library's Agents and Booksellers in England purchased on the permanent Book Fund Account of John Harkness, Esq., M. A. LL. D., the Hon'ble Byramjee Jejeebhoy, Esq., Sir Cowasjee Jehangeer Readymoney, C. S. I., Dinshaw Manockjee Petit, Esq., His Highness the Nawab of Junagarh and of the Bombay Native General Library, are now in the Library for the inspection of Members and Subscribers, and will be issued on the 7th day of December 1875.

Members requiring any of the undermentioned Works, will be pleased to send in a list of such to the Librarian on or before the 4th day of December 1875.

FRAMJEE COWASJEE INSITUTE, 30*th November* 1875.

CLASS.	NOS. OF BOOKS.	NAMES OF BOOKS.	VOLS.
I.	2292	Astronomy, Elementary, Lessons in. R. A. Proctor, London, 1875	1
„	2293	Belfast Address (1874). J. Tyndall. London, 1874.	1
„	2294	Candle, History of. M. Faraday. London. .	1
„	2295	Heaven, Expanse of. R. A. Proctor. London, 1874.	1
„	2296	Physics, Elementary, Lessons in. B. Stewart. London, 1873.	1
„	2297	Physical Forces, Correlation of. W. R Grove. London, 1874.	1
„	2298	Solar Physics. J. N. Lockyer. London, 1874.	1

Class.	Nos. of Books.	Names of Books.	Vols.
I.	2299	Stars, Half-Hours With the. R. A. Proctor. London, 1874.	1
„	2300	Telescope, Half-Hours With the. R. A. Proctor. London	1
II.	2301	Botanic Terms, Manual of. M. C. Cooke London.	1
„	2302	Botany, Elements of. J. Lindley. London, 1861.	1
„	2303	Flora Indica. W. Roxburgh. Calcutta, 1874.	1
„	2304	——of British India. J. D. Hooker. London, 1875. (Vol. I.)	1
„	2305	Geology for General Readers. D. Page. Lon: 1870.	1
„	2306	Mankind, Races of. R. Brown. London	2
„	2307	Vegetable Kingdom. Prof. Oliver. Lon: 1874	1
III.	2308	Bazaar Medicines. E. J. Waring. Lon: 1874.	1
„	2309	Health. E. Smith. London, 1874.	1
„	2310	Insanity. G. F. Blandford. Edinburgh, 1871.	1
„	2311	Neuralgia & Kindred Diseases of the Nervous System. J. Chapman. London, 1873.	1
„	2312	Physiology, Mental. W. B. Carpenter. London, 1875	1
IV.	2313	Christ & Other Masters. C. Hardwick. London, 1874.	1
„	2314	Christendom, Creed of. W. R. Greg. Lon: 1875.	2
„	2315	Hopes of the Human Race. F. P. Cobbe. London, 1874.	1
„	2316	Religious Belief, Origin & Development of. S. B. Gould. London, 1871.	2
„	2317	Revelation Considered As Light. Rev. A. Ewing. London, 1874	1
„	2318	Supernatural Religion. London, 1874.	2
„	2319	True Deliverer. G. H. Davis. London.	1
V.	2320	Compromise. J. Morley. London, 1874	1
„	2321	Emotions. C. Darwin. London, 1872	1
„	2322	Human Nature, Treatise on. D. Hume. London, 1874	2
„	2323	Mental & Moral Science. A. Bain. Lon: 1872.	1
„	2324	Social Science, Elements of. London, 1875.	1

Class.	Nos. of Books.	Names of Books.	Vols.
V.	2325	Subjection of Women. J. S. Mill. Lon: 1870.	1
„	2326	Cosmic Philosophy, Outlines of. J. Fiske. London, 1874.	2
„	2327	Darwinism in Morals. F. P. Cobbe. Lon:1872.	1
„	1873	History of Philosophy. G. H. Lewes. Lon:1871	2
„	2328	Intelligence, H. Taine. London, 1871.	1
„	2329	Life & Mind, Problems of. G. H. Lewes, London, 1875.	2
„	2330	Mill's (J. S.) Philosophy, Review of. G. Grote. London, 1868.	1
„	2331	Mind & Body. A. Bain. London, 1873.	1
„	2332	Modern Meterialism. J. Martineau. Lon:1875	1
„	2333	Principles of Science. W. S. Jevons. Lon:1874	2
„	2334	Rationalism in Europe. W. E. H. Lecky. London, 1873.	2
„	2335	Religion & Theism, Nature the Utility of. J. S. Mill London, 1874	1
VI.	2336	Comparative Politics. E. A. Freeman. London, 1873	1
„	2337	Democracy in America. A. De Tocqueville. London, 1875.	2
„	2338	Economical Philosophy, Principles of. H. D. Macleod. London, 1872. (Vol. I.)	1
„	2339	Lombard Street. W. Bagehot. London, 1873.	1
„	2340	Land Tenures &c. of Upper India. P. Carnegy. London, 1874.	1
„	2341	Political Economy, Grammar of. W. F. Marriott. London, 1874.	1
„	2342	Positive Polity, System of. A. Comte. London, 1875. (Vol. I)	1
„	2343	Vatican Decrees. W. E. Gladstone. Lon:1874	1
„	2344	Bengal Famine. H. B. E. Frere. Lon: 1874.	1
„	2345	Conflict of Studies. J. Todhunter. Lon: 1873.	1
„	2346	Education, Household. H. Martineau. London, 1870.	1
„	2347	———, University, Scope & Nature of. J. H. Newman London, 1859.	1
„	2348	English Literature, History of. H. A. Taine, Edinburgh 1874.	4

Class.	Nos. of Books.	Names of Books.	Vols.
VI.	2349	Essays: Critical & Narrative. W. Forsyth. London, 1874.	1
„	2036	———, Scientific, Political & Speculative. H. Spencer. Lon: 1875.(vol. III.).	1
„	1434	——— On the Evils of Popular Ignorance. J. Foster. London, 1872.	1
„	2350	French Humourists. W. Besant. Lon : 1873.	1
„	2351	Health & Education. C. Kingsley. Lon:1875	1
„	2352	Higher Schools & Universities in Germany. M. Arnold. London, 1874.	1
„	2353	Laocoon. Lessing. London, 1874.	1
„	2354	Miscellanies. Earl Stanhope. London, 1872.	2
„	2355	Modern English. F. Hall. London, 1873. .	1
„	2356	Primitive Culture. E.B. Tylor. Lon: 1873. .	2
„	2357	Self-Culture. J. S. Blackie. Edinburgh, 1875.	1
„	2358	Speeches on Questions of Public Policy. R. Cobden. London, 1870. . . .	2
„	2359	——— Political Questions. H. Fawcett London 1873.	1
„	2360	———of E (Lord) Lytton. London, 1874.	2
„	2361	Sayings of George Eliot. A. Main. Lon:1873	1
„	2362	Shakespeare Commentaries. G. G. Gervinus. London, 1875.	1
„	2363	Sociology, Study of. H. Spencer. Lon: 1874.	1
„	2364	Language Its Origin & Development. T. H. Key. Lon : 1874.	1
„	2365	Remains of Emanuel Deutsch. London, 1874.	1
		Bibliotheca Classica. (Latin.)	
„	2366	Ciceronis Orationes. G. Long. London, 1862	4
	2367	Taciti, Cornelii. P. Frost. London, 1872	1
	2368	Vergili Opera. J. Conington. London, 1875.	3
VII.	2369	Austin's Jurisprudence. R. Campbell. London, 1875	1
„	2370	Blackstone Economized. D. M. Aird. London, 1873	1

Class.	Nos. of Books.	Names of Books.	Vols.
VII.	2371	Indian Evidence Act. H. S. Cunningham. Madras, 1873	1
VIII.	700	Chaucer's (G) Poetical Works. T. Tyrwhitt. London, 1874.	1
„	2372	Faust. J. W. Goethe. London, 1871 . . .	2
„	2373	Hanging of the Crane. H. W. Longfellow. Lon : 1875.	1
„	2374	Horace, Satires & Epistles of. J. Conington. Lon : 1872.	1
„	2375	Not So Bad As We Seem. E. B. Lytton. .	1
IX.	2376	Ashanti War. H. Blackenbury. London, 1874	2
„	2377	———& The Gold Coast. J. D. Hay. London, 1874	1
„	2378	Ashantee, Mission to. T. E. Bowdich. London, 1873	1
„	2379	Coomassie & Magdala. H. M. Stanley. Lon: 1874.	1
„	2380	Bombay, Guide to. J. M. Maclean. Bombay, 1875	1
„	2381	Hindustan, Handbook of. Times of India. Bombay, 1875.	1
„	2382	India, Empire in. E. Bell. London, 1864 .	1
„	2383	Indian Empire, Rise of Our. Lord Mahon. London, 1859	1
„	2384	——— Surveys, Memoir of. C. R. Markham. London, 1871. . . .	1
„	2385	New Japan. S. Mossman. London, 1873. .	1
„	2386	Rajasthan, Annals & Antiquities of. J. Tod. Madras, 1873.	2
„	2387	Telegraph & Travel. J. Goldsmid. Lon:1874.	1
„	2388	Civilisation, History of. W. A. Mackinnon. London, 1849.	2
„	1909	Crimea, Invasion of. A. W. Kinglake. London, 1875 (Vol. V.).	1
„	2389	England, History of. J. Lingard. Dublin, 1874	10
„	2390	———, ———. W. N. Molesworth Lon: 1875.	3
„	2391	English in Ireland in the 18th Century. J. A. Froude. London, 1874.	3

Class.	Nos. of Books.	Names of Books.	Vols.
„	2392	France & Germany, War Between. Cassell.	2
„	2393	——— Before the Revolution of 1789. A. De Tocqueville. London, 1873.	1
„	2394	Greece, History of. E. Curtius. London, 1873.	5
„	2395	Philosophy of History in Europe. R. Flint London, 1874. (Vol. I)	1
„	2396	Pompeii. T. H. Dyer. London 1871	1
„	2397	Royal Institution. B. Jones. London, 1871.	1
„	2398	Worthies of All Souls. M. Burrows. Lon: 1874	1
X.	2399	Africa, Heart of. G. Schweinfurth. Lon: 1873	2
„	2400	Livingstone, David, Last Journals of. H. Waller. London 1874	2
„	2401	India & Kashmir, Letters from. Lon: 1874.	1
„	2402	Indus to the Tigris. H. W. Bellew. Lon: 1874	1
„	2403	Khiva & Turkestan. H. Spalding. Lon: 1874.	1
„	2404	Oxus & the Fall of Khiva, Campaigning on the. J. A. M. Gahan. London, 1874.	1
„	2405	Teresina Peregrina. T. Yelverton. Lon: 1874.	2
XI.	2406	Abdulla, Hakayit. J. T. Thomson. Lon: 1874.	1
„	2407	Autobiography of Dr. Guthrie. Lon: 1874. (Vol. I.)	1
„	2408	Bath Archives. Lady Jackson. London, 1873.	2
„	2409	Biographical Sketches. H. Martineau. Lon: 1870.	1
„	2410	Constable, Archibald, & His Correspondents. T. Constable. Edinburgh, 1873.	3
„	2411	Elgin, (Earl), Letters & Journals of. T. Walrond. London, 1872	1
„	2412	Foreign Biographies. W. Maccall. Lon: 1873.	2
„	2413	Great Families, Rise of. B. Burke Lon: 1873.	1
„	2082	Life of Dickens, (Charles), J. Forster. London, 1874. (Vols. II & III.)	2
„	2414	——— Eliot, (Sir J.). J. Forster. Lon: 1872.	2
„	2415	——— Goldsmith, (Oliver). J. Forster. London, 1871	2
„	2416	——— Humboldt, (Alex.). A. Dove. London, 1873.	2
„	2417	——— Lawrence, (Sir H.). Edwardes & Merivale. London, 1872	2

Class.	No. of Books.	Names of Books.	Vols.
„	2418	——— Napoleon III. B. Jerrold. London, 1875 (vol. I & II.)	2
„	2419	——— Pizarro. A. Helps. London, 1869. .	1
„	2420	——— Prince Consort. T. Martin. London, 1875. (Vol. I.)	1
„	2421	Memoirs of Madame De Sevigne. C. De Puliga. London, 1873. . . .	2
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„	2433	Out of Court. Mrs. C. Hoey. London, 1874.	3
„	2434	Quixstar. Edinburgh, 1873.	3
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Class.	Nos. of Books.	Names of Books.	Vols.
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„	2452	Words of Hope & Comfort. London, 1874.	1
XIV.	1658	Encyclopædia Britanica. London, 1875.(Vols. I II.)	2
„	2453	Mercantile Directory of the World.Lon: 1873	1
XV.	2454	Dathavansa. Sir Mutu C. Swámy. Lon: 1874.	1
„	2455	Royal Asiatic Society, Journal of. London, 1873. (New Series.).	6
„	2456	Ramayan. R. T. H. Griffith London 1874.	5
„	2457	Suttá Nipátá. Sir Mutu C. Swamy. London, 1874.	1
XVI.	2458	Illustrations of China & its People. J. Thomson. London, 1873. . . . . ,	4

Ardaseer Framjee Moos,

Honorary Secretary.

Continued.

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Framjee Cowasjee Institute, 12th February 1877.

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I.	2459	Science Byways. R. A. Proctor. Lon: 1875. .	1
,,	2460	———, Fragments of. J. Tyndall. Lon: 1876.	1
,,	101	Chemistry, Dictionary of. H. Watts. Lon: 1875. (Vol. VII only.).	1
,,	2461	Unseen Universe. Stewart & Tait. Lon: 1876.	1
II.	2462	Botany, Text-Book of. J. Sachs. Oxf: 1875.	1
III.	288	Physiology, Human. W. B. Carpenter. London, 1876	1
V.	2463	Ethical Subjects, Fragments on. G. Grote. London, 1876.	1
VI.	2464	External Policy of India, Essays on. J. W. S. Wyllie. London, 1875.	1
,,	2465	Positive Polity, System of. A. Comte. London, 1876. (Vols. II & III only). . . .	2
,,	2466	Revenue, Rosources &c. of the Mughal Empire. E. Thomas. London, 1871. . . .	1
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,,	2468	Essays on Criticism. M. Arnold. Lon: 1875..	1

Class.	Nos. of Books.	Names of Books.	Vols.
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„	2472	Typical Selections from Best English Writers. Oxford, 1876	2
VIII.	2473	Inn Album. R. Browning. Lonnon, 1875. .	1
„	2474	Rejected Addresses. J. & H. Smith. Lon:1873	1
IX.	2475	Ain-i-Akbari. H. Blochmann. Calcutta, 1873. (Vol. I. only).	1
„	2055	India, Sepoy War in. J. W. Kaye. London, 1876. (Vol. III only.)	1
„	1901	——, History of. J. T. Wheeler. London, 1876. (Vol. IV only.)	1
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„	2477	Persia, History of. C. R. Markham. Lon:1874.	1
„	879	Oriental Monarchies, Sixth & Seventh. G. Rawlinson. London, 1876.	2
„	2478	England, Hume's History of. W. Smith. London, 1875.	1
„	2479	——,Hallam's History of. W. Smith. London, 1872.	1
„	2480	English People, History of the. J. R. Green London, 1875.	1
„	2481	Europe during the Middle Ages, Hallam's. Smith. London, 1871	1
„	2059	France, History of. M. Guizot, London, 1876. (Vols. II to V.)	4
„	2066	Norman Conquest. E. A. Freeman. London, 1876 (Vol V.)	1
„	2482	Rome, History of. T. Mommsen. Lon : 1876.	5
XI.	2420	Life of Consort, (H. R. H. the Prince). T. Martin. London, 1876. (Vol. II only) .	1
„	2483	—— Macaulay, (Lord) G.O. Trevelyan. 1876	2
„	2484	—— Mayo, (Earl of). W. W. Hunter. London, 1875	2
„	2485	—— Milton. (John). D. Masson. Lon: 1875.	3

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XI.	2486	Memoirs of Grellet, (S.) London, 1862. . .	1
,,	2487	——— Gurney, (J. J.) Norwich. 1854.	2
,,	2488	Memorials of D. Thomas. H. A. Thomas. London, 1876.	1
XII.	2489	Daniel Deronda. G. Eliot. London, 1876. .	4
,,	1307	Pandurang Hari. Sir H. B. E. Frere. London, 1873.	2
,,	2490	Orphan of Pimlico. W. M. Thackeray. London, 1876	1
,,	2491	Seeta. M. Taylor. London, 1872.	3
,,	2492	Small House at Allington. A Trollope. London, 1876	1
XIII.	2493	East India Finance, Report on. 1. 2. 3. with Index	4
,,	2494	Govinda Samanta. Rev. Lal Behari Day. London, 1874. (2 Copies).	2
XV.	2263	Chips From A German Workshop. F. Max Müller. London, 1875. (Vol. IV only.) .	1
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,,	2495	Aitareya Aranyaka of the Rig Veda. Rajendralala Mitra. Calcutta, Parts. . .	5
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,,	2497	Chaturvarga-Chintamani. Pandit Bharatachandra Siromani. Calcutta. Parts. .	16
,,	2498	Gobhiliya Grihya Sutra. Chandrakánta Tarkálankár. Calcutta, Part	1
,,	2499	Sáma Veda Sanhita. Satyavrata Samasrami. Calcutta, Vols.	3
		Bibliotheca Indica, English Translations.	
,,	2500	Brahma Sutras. Rev. K. M. Banerjea. Calcutta, Part.	1
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Class.	Nos. of Books.	Names of Books.	Vols.
XV.	2504	Nitisara or the Elements of Polity. Rajendralala Mitra. Calcutta, Parts. .	1
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„	2507	Surya Sidhanta. or Hindu Astronomy. Pandit Bapu Deva Sastri Calcutta Parts.	3
„	2508	Tabakat-i-Nasiri. Major H. G. Raverty. London, Parts	3
„	2509	Taittiriya, Aitareya, Svetasvatara Kena & Isa Upanishads. E. Röer. Calcutta, Parts.	2

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„	2511	——————— Of The Hindus, Essay On The. Ram Raz. London, 1834	1
		†Art Handbook, South-Kensington Museum.	
„	2512	Art, Persian. Major R. M. Smith. London, 1876.	1
„	2513	Arts, Industrical. Historical Sketches. London, 1876.	1
„	2514	Design, Manual Of. R. Redgrave. London, 1876.	1

† Books presented.

Class.	Nos. of Books.	Names of Books.	Vols.
		†Art Handbook, South-Kensington Museum.	
I.	2515	Furniture & Woodwork. J. H. Pollen London, 1875.	1
,,	2516	Ivories Ancient & Mediæval. W. Maskell. London, 1875.	1
,,	2517	Maiolica. C. D. E. Fortnum, Lon: 1875.	1
,,	2518	Musical-Instruments. C. Engel. Lon: 1875	1
,,	2519	Scientific Apparatus, Special Loan Collection Of 1876	1
,,	2520	Textile Fabrics. Rev. D. Rock. Lon: 1876	1
,,	2521	Chemistry, New. J. P. Cooke. London, 1874.	1
,,	2522	Forces Of Nature. A. Guillemin. Lon: 1872.	1
,,	2523	Magic, Letters On Natural. Sir D. Brewster. London, 1868.	1
,,	2524	Moon. J. Nasmyth & J. Carpenter Lon: 1874	1
,,	2525	Physical Science, Recent Advances In. P. G. Tait. London, 1876.	1
,,	2526	Pottery, History Of Ancient. S. Birch. London, 1873	1
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,,	1858	*Science & Art, Year-Book Of Facts In. 1874-75 & 76 J. Timbs & J. Mason. London,	3
II.	2528	Beginnings Of Life (Lower Organisms). H. C. Bastian. London, 1872	2
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,,	2530	Plants, Climbing. C. Darwin. London, 1875.	1
,,	2531	———, Cross & Self Fertilisation Of. C. Darwin. London, 1876	1
,,	2532	———, Insectivorous. C. Darwin. Lon: 1875.	1
III.	2533	Mind, Physiology Of. H. Maudsley, Lon: 1876	1
IV.	2534	Anthology, Sacred. M. D. Conway. Lon: 1876	1
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,,	2537	Gospels In The Second Century. W. Sanday. London, 1876.	1

† Books presented.

* See pages 99 & 112.

Class.	Nos. of Books.	Names of Books.	Vols.
IV.	2538	Hebrew Scriptures, Notes On Earlier. Sir G. B. Airy. London, 1876.	1
„	2539	Jewish Church, History Of The. A. P. Stanley. London, 1877.	3
„	2540	Religion, Rome & The Newest Fashions In. W. E. Gladstone. London, 1875 . . .	1
V.	2541	Eighteenth Century, English Thought in The, History Of. L. Stephen. Lon: 1876.	2
„	2542	Ethnography & Geography, Ancient, Lectures On. B. G. Niebuhr. London, 1853 .	2
„	2543	Evolution, Contemporary. St. G. Mivart. London, 1876.	1
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„	2557	Protests Of The Lords, Complete Collection Of The. J. E. T. Rogers. Oxford, 1875. .	3

† Books presented. * See page 120.

Class.	Nos. of Books.	Names of Books.	Vols.
VI.	2558	Sociology, Principles Of. H. Spencer, London, 1876. (Vol I only)	1
,,	2559	Statesman's Year-Book 1877. F. Martin. London, 1877.	1
,,	2560	Switzerland, Politics Of. G. Grote. Lon:1876	1
,,	2561	United States, Communistic Societies Of. C. Nordhoff. London, 1875.	1
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		Ancient Classics For English Readers:—	
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VI.	2582	Poets & Novelists. G. B. Smith. Lon: 1875. .	1
,,	2583	Shakespeare Lexicon, A. Schmidt. Lon: 1875.	2
,,	2584	Whewell's Writings & Letters. I. Todhunter. London, 1876.	2
,,	2585	Asia & Europe, Principal Langnages Of. Lieut.Col. Vans Kennedy. London, 1828.	1
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VII.	2587	Hortensius. W. Forsyth. London, 1874. .	1
,,	2588	Institutions, Early History Of. Sir H. S. Maine. London, 1875	1
,,	2589	†Small Causes, Bombay Court Of, Practice Of The. Bezonjee Ruttonjee Kotewal. Bombay, 1876. (2 Copies).	1
VIII.	2590	Dobell's (Sydney) Poetical Works. J. Nichol. London, 1875.	2
,,	2591	Epigrams, Common Place Book Of. C. S. Carey. London, 1872	1
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,,	2593	Guido & Lita. Right Hon'ble The Marquis Of Lorne. London, 1875	1
,,	2594	Home Affections. C. Mackay. London, 1873	1
,,	2595	Indian Song Of Songs. E. Arnold. Lon: 1875	1
,,	2596	Queen Mary. A. Tennyson. London, 1875. .	1
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IX.	2603	Independence, War Of American 1775-1783. J. M. Ludlow. London, 1876.	1

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IX.	2604	Suez Canal, History Of The. M. F. De Lesseps. London, 1876.	1
		Asia.	
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„	2607	Early Sassanian Inscriptions Seals & Coins. E. Thomas. London, 1868.	1
„	2608	East, England & Russia In The. Sir H. Rawlinson. London, 1875.	1
„	2609	India, British, Progress & Present State Of. M. Martin. London, 1862. . . .	1
„	2610	——, Classical Dictionary Of. J. Garrett. Madras, 1871	1
IX.	2611	——, Map Of, Index Of All Places In The. London, 1826.	1
„	2612	——, Rebellion In. J. B. Norton. Lon: 1857	1
„	2613	Indian & Eastern Architecture, History of. J. Fergusson. London, 1876.	1
„	2614	Punjab, Rajas Of The. L. H. Griffin. Lon: 1873.	1
		Europe.	
„	2615	England, The Constitutional History Of. W. Stubbs. Oxford, 1875	2
„	2616	——, History Of. L. Von Ranke. Oxf: 1875.	6
„	2617	Napoleon I., History Of. P. Lanfrey. Lon: 1876	3
„	2618	Roman Empire. E. Gibbon. London, 1862 .	8
„	2619	Troy & Its Remains. H. Schliemann. London, 1875	1
		General.	
„	2620	Myths & Songs From The South Pacific. Rev. W. W. Gill. London, 1876. . . .	1
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ARDASEER FRAMJEE MOOS,
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(*For private circulation only.*)

Wednesday, June 23, 1880.

LIEUT.-GENERAL SIR GARNET J. WOLSELEY, G.C.B., G.C.M.G., &c., &c., in the Chair.

A TRANSPORT SERVICE FOR ASIATIC WARFARE, WITH A BRIEF ACCOUNT OF THE TRANSPORT OPERATIONS FROM SUKKUR TO QUETTA IN 1879.

By LIEUTENANT D. DEAN-PITT, R.A.

I PROPOSE first to give an account of those transport operations which I had the good fortune to see while serving with General Phayre, from January to August 1879, which operations were carried on between Sukkur and Quetta. And I may here say that I am indebted to Sir R. Temple for some facts and figures, as he has been kind enough to place some of his minutes at my disposal, and from which I propose to read two extracts during the course of this paper.

I am also much indebted to Lieutenant Forster, 15th Regiment, who has kindly refreshed my memory on many points. He was most intimately connected with the transport having been personal assistant to the Director. Lieutenant Pogson, 15th Regiment, who was a Transport Officer, has also furnished me with much valuable information.

In January 1879 the position of affairs with regard to our transport and the line of communication between Sukkur and Quetta was somewhat as follows:—

General Sir Donald Stewart had been in possession of Kandahar for four or five weeks. The road between Quetta and Kandahar was secured by various posts. There was a garrison at Quetta, a few stations in the Bolan with small guards, and a large Transport and Commissariat Depôt at Dadur, which, as you see, is just at the entrance of the Bolan Pass, some $3\frac{1}{2}$ miles from the mouth. Then, a small daily transport train composed of hired carriage was working from Sukkur to Dadur, *viâ* the Sherpur and Lehri route; there were small guards at each station, and at Lehri and Poolajee detachments of Sind Horse were posted. At Sibi, which by the Treaty of Gundamuck became part of the assigned districts, there was a strong detachment of infantry.

General Phayre's brigade, with two companies of sappers and miners, was near Jacobabad and Sukkur.

The three batteries of a very complete siège train were also on the road. The 25-pounder battery had reached Dadur; the 40-pounder battery, with the head-quarters of the train, was at Jacobabad, and the howitzer unit or battery was at Sukkur.

The daily train, I have just spoken of, had, from the badness of the

road and sickness among bullocks, &c., fallen to a low ebb, and the daily flow fell far short of what was intended and what was necessary. The consequence being a block of stores at Jacobabad, at Sherpur, and afterwards at Lehri.

As regards the state of the road, or I should say "way," for no road existed from Jacobabad to Quetta, no good thing can be said. From Sukkur to Jacobabad, a distance of 50 miles, the road was excellent, that is, as good a road as you could possibly have in a country where there are no stones. It was, and is still, a grass road, and except in wet weather it presents no difficulty to traffic, and the watercourses and canals are well bridged.

From Jacobabad onwards to Dadur the way lay over the flat Cutchee plain, across sandy wastes and arid deserts, long distances had to be traversed without water, and the road was in nearly all places exceedingly heavy, especially between Jacobabad and Sherpur, and between Poolajee and Lehri. The march from Lehri to Mittri was a very trying one, though it was on fairly hard ground, but it was 28 miles in length, and at the end of it the broad bed of the River Nari had to be crossed. If any officer of artillery who marched by the Sherpur and Lehri route be here, I am sure he will be able to speak feelingly about his journey. It was trying for men, animals, and carriages.

The road up the Bolan was as it was in the time of Sir William Nott and Sir Richard England. The same boulders, the same deep almost bottomless shingle, the same numberless river crossings, which rendered the first two marches so trying to men and animals. Carts could not be used in the Bolan, and the artillery marching up encountered many troubles, especially the heavy batteries; not less were the difficulties of the ordnance and engineer parks. I well remember the first time I went up the Bolan, that between Bibi Nani and Much I came across a pontoon complete, on its carriage, hopelessly stuck, and left there a silent but eloquent witness to the difficulties our army had to encounter on its march through this celebrated pass.

This, then, gentlemen, was the state of affairs as regards transport and the line of communication in January 1879. It was in this month that, to relieve the block at Jacobabad, contracts were entered into for the conveyance of a portion of the stores to Dadur. Camel owners and cart owners were more willing to serve contractors than they were to serve Government, they knew there was no chance of their being forced up into the dreaded regions beyond Dadur, as was believed to have been the case in the earlier part of the campaign; this feeling of repugnance to go up into the passes was increased tenfold by the tales of hardship and privation which had been brought back by those followers who had been fortunate enough to have already returned.

The coming forward of these contractors afforded a very acceptable relief to the block at Jacobabad, and they were found to fulfil their contracts with regularity and honesty; and though at first they only carried a small proportion of what had to be conveyed, still every 1,000 maunds removed made a difference. Since I shall make use of the expression "maund" more than once, I may state, for the benefit of

those to whom the expression is not familiar, that a maund is 80 lbs., so that 28 maunds is equal to a ton.

It was in January that the Government of India placed the control of the line of communication from Sukkur to Quetta under General Phayre, and late in the same month ordered 300,000 maunds of food supplies to be conveyed from the base to Dadur and Quetta before the 1st of May. In addition to this, all ordnance stores, commissariat stores, clothing, &c., which were on the line had to be carried. An engineer park was at Sukkur awaiting carriage to enable it to move up, carriage to convey the siege train to Quetta had to be provided; troops in small bodies, which at intervals moved up to the front, had to be given transport; and, lastly, some 10,000,000 rupees had to be carried and escorted to Quetta.

As you may well imagine, to do this work, a large and efficient transport service was necessary, and the organization and control of this transport was also placed in the hands of General Phayre.

In this month (January), the Brahui camels first began to work with any regularity from Dadur to Quetta. This expression "Brahui "camel" needs some explanation. The Brahuis are a tribe who, during the warm season, inhabit the highlands of Beloochistan, and during the cold season graze their flocks and herds in certain parts of the Cutchee Plain. These people possess a large number of very excellent hill camels capable of carrying heavy loads and working in hilly country. The Brahuis at first were very averse to taking service under Government or working with troops, but at last they agreed to enter into contracts to carry stores (and then only stores which were not liable to break or damage, such as grain, &c.) from Dadur to Quetta. From this time to early in May they worked very regularly, carrying some 25,000 maunds a month to Quetta. These people required great tact in dealing with them, and very gentle handling.

The then existing hired transport which I have before referred to being quite inadequate to meet the great requirements thus suddenly put on it, it was decided to organize a transport service, of which the animals should be the property of Government, and the civil authorities began at once to collect this carriage, and the remnants of the old hired transport train were to be discharged as soon as the new train was in working order.

Sind had already supplied 20,000 camels, which had gone above the passes with the advanced force, so there was no great abundance of them in the country; 10,000, however, were ordered to be bought, of which 3,000 were to come from the province of Rajputana, and which in due course arrived, of the remaining 7,000, however, General Phayre's transport service was never able to utilize more than four or five thousand, the others having been used for other purposes.

Two thousand four hundred carts were ordered to be made up with all dispatch in Bombay, and sent up to Sukkur. The 5,000 bullocks for them being purchased in Sind without any difficulty. And an order was given for the purchase of a large number of ponies and donkeys, with as many mules as could be got; but there is no great supply of this last-named animal in India, a fact much to be

deplored. I believe steps are now being taken to breed these animals in considerable numbers.

I may say now that these ponies, donkeys, &c., never did very much for the transport service below Quetta; many were sent on to the front as soon as equipped, and there was considerable delay in the equipment of all of them.

Of course all this carriage did not come in at once, but the organization was begun by General Phayre without delay.

There were a certain number of transport officers belonging to the old train who formed the nucleus of the new service. An officer of high rank and known ability took charge of the base at Sukkur and submitted a scheme for the organization of the train, and which, with some modifications, was accepted by the Brigadier-General.

Risking the charge of being unconnected in my discourse, I must now, gentlemen, before proceeding with an account of the organization of the train, tell you that General Phayre, in conjunction with Sir Richard Temple, the then Governor of Bombay, had decided on removing the line of road from the old way, *viâ* Lehri, &c., to a new line *viâ* Burshooree, Bagh, &c.

The advantages of this new line were many; there was only one long desert march in it, namely, from Nehal-ka-Gote to Burshooree—instead of the two on the old line; the River Nari was crossed at a much more easy spot than at Mittree—and the road from Kissim-ka-Joke, where this crossing is, followed more or less the right bank of the Nari, being well supplied with water. Between Eree-ka-Sher and Dadur, the road had to cross over a low range of hills, through a pass some 3 miles long known as the Chota or Little Bolan. General Phayre determined to make a good road along the whole of this route from Jacobabad to Dadur, and to bridge the watercourses so as to admit of the heavy ordnance crossing without difficulty. Along this new line all the stores then at Jacobabad and Sukkur, and all that had yet to arrive, were to pass, and such was eventually the case. The 19th Bombay Native Infantry, and two companies of the Bombay Sappers and Miners, made a large portion of this road; the rest was made by local labour obtained by the Executive Engineer of the District. The difficult part through the Chota Bolan was made entirely by our troops. I must not, however, be led into giving you an account of all our road-making, as if I once began to relate all that was done in that way in the Bolan itself, I should occupy far too much time, besides digressing from the subject of the Paper. Suffice it to say, that in the middle of February the road from Jacobabad to Dadur was open for wheeled traffic; and before the 1st of May the siege train had marched up to Quetta—without difficulty. The whole of the work in the Bolan having been done by the troops of the brigade.

Nothing more was now sent by the old route *viâ* Sherpur and Lehri, the remnants of the old train which still existed on it were kept until the block at Sherpur and Poolagee was cleared off, and the stores on this road were not finally cleared up to Dadur until the middle of March.

Now to return to the scheme for the organization of the new transport service. It was decided that the staging system should be adopted. That from Sukkur to Jacobabad the 2,400 carts should work, and that the camels should work onwards from Jacobabad to Dadur. Until, however, complete staging arrangements had been made, the staging camps established, &c., the camels, as they arrived at the base, Sukkur, were to be sent on in convoys of 300 or 400 to Dadur, and as they returned posted at the various stages. It was proposed that the animals should be so posted that a daily train of 500 camels should arrive at Dadur, each camel carrying four maunds, or 320 lbs. This would mean a flow into Dadur of 60,000 maunds a-month, carried entirely by Government carriage. A train of 500 camels daily was, as a matter of fact, never reached; I do not think it ever exceeded 300 camels a-day. The cart-train was to put between 250 and 300 cart loads a-day into Jacobabad—this meant some 80,000 or 90,000 maunds a-month, a quantity, as you will see, very much in excess of what was to flow monthly out of Jacobabad towards Dadur. It was expected that this excess would be carried by contractors, and such proved to be the case.

As you can well imagine, the arrangements for keeping and watering so many animals at these newly established camps between Jacobabad and Dadur required some little organization. The country around had to be tapped for forage, and the Commissariat was heavily worked. At each camp—and these were, Jacobabad, Nehal-ka-Gote, Burshooree, Kassim-ka-Joke, Bagh, Hadju-ka-Shah—there had to be double as many camels as there were in the daily train, as of course each day one-half were performing the return journey.

At Nehal-ka-Gote, however, from which camp the long desert march began, there was a double allowance of camels to allow a day's rest after the long march, both going and returning. I may here say that in the course of the next few months a watercourse was dug from Burshooree to a point in the centre of this long desert march, a tank dug there and filled. The country having a fall of 30 feet in 12 miles permitted of this. The supply of water was not very great, nor was it regular, as it depended on the height of the Nari river; but even as it was, it proved a great boon.

The line between Sukkur and Dadur, which was 159 miles long, was divided into three divisions. Sukkur to Jacobabad, Jacobabad to Kassim ka Joke, and from Kassim to Dadur. The Director of Transport at Sukkur had immediate charge of the first division. A Superintendent of Transport had charge of the second, and another Superintendent of the third.

At Dadur the Director of Transport, who had been in charge of the old train, was stationed, and it was his duty to arrange for the onward transit of stores by the Brahui camels. On the arrival of the stores at Dadur they went into commissariat charge and were re-handed over to transport charge according as the Director of Transport had carriage for them.

At each staging camp, with two exceptions, there was an Assistant Superintendent of Transport. The two camps which were without a

commissioned officer were, if I remember rightly, Mungranee and Humayon, which, as you see, are 12 and 38 miles respectively from Sukkur.

At Sukkur the transport staff consisted of the Director, the Assistant to the Director, who performed the duties of Quartermaster, and an Assistant Superintendent as the executive Transport Officer.

The office establishment at Sukkur consisted of six clerks, and in the Quartermaster's office, one head store keeper and two 2nd class storekeepers.

Each Assistant Superintendent in charge of a stage was allowed a writer to help him in his office work, of which he had a good deal, since he was entrusted with the payment of all the men under him. And, curiously enough, instead of having to forward his accounts to the Head Transport Office at Sukkur, he had to send them direct to the Left Field Office at Umballa. Why this plan was adopted I am quite unable to say, but it was not a satisfactory one. Confusion often arose when reference was made on any point from the Field Office at Umballa to the Head Transport Office at Sukkur. When, however, the train moved up the Bolan, as it eventually did, a pay office was established and an officer appointed paymaster of the train, and all payments were made through him. This plan was found to work very satisfactorily.

A sort of military police, consisting of 4 non-commissioned officers and 20 sepoys was established and employed at the stages between Sukkur and Jacobabad. They prevented much petty pilfering that had been going on before they were employed, and were the means of recovering a good deal of property which had been stolen. They were also useful in keeping a look out on the transport followers, seeing they did their work properly, and so on.

The following are the scales of establishments for the various animals.

For bullocks—

1 driver for each pair.
1 1st class inspector for 100 drivers.
2 2nd „ „ „
2 Head Muccudums „
4 2nd „ „ „
1 native doctor for every 500 animals.

For camels—

1 driver for 4 camels.
1 Jemedar for 50 „
2 native doctors for 500 camels.
1 1st class inspector
1 2nd „ „
3 Head Muccudums } For every 100 drivers.
6 2nd „ „

For mules and ponies—

1 Driver for every 3.
1 Muccudum for every 50.

For donkeys.
1 driver for every 6.
1 Muccudum for every 50.

The rates of pay were as follows—

1st class inspector	75	rupees	per mensem.
2nd „ „	60	„	„
Head Muccudum	25	„	„
Second „ „	15	„	„
Cartman (without rations)	10	„	„
„ (with rations)	8	„	„

About forty carpenters and blacksmiths were employed between Sukkur and Jacobabad keeping the carts in repair.

It was towards the end of February that carts and camels began to work regularly by stages. The arrangements for feeding and watering at the various staging camps having been completed, and grass sheds erected at all of them to accommodate the officer, offices, &c.

I would call your attention to the fact that this organization was going on while transport work was being done, which naturally added to the difficulties, and the proposed plan of organization was never quite completed as regards the complement of men and animals, owing to a certain amount of desertion and sickness. Much difficulty was experienced at first, owing to the inexperience of many of the men engaged as bullock-drivers and as camel-men. Another point of difficulty was the inefficiency of many of the inspectors. We were unable then to employ soldiers for this work, and some of them were unable to keep the men under their charge in order. All these things threw very heavy work indeed on the Transport Officers.

The daily train, when established, had to march with but two sowars as an escort, with one camel sowar and a second-class Inspector in charge; and as camels straggle very much, this almost amounted to no escort.

At each staging camp the small infantry guards gave great assistance to the Transport Officers in charge, especially as regards the sanitary arrangements of the camp. The train was thus working in fair order and every nerve was being strained to get the work completed in time.

About the 23rd of February it was decided by the Government of India that the garrison batteries, with the siege train, were to return to India, an officer and 10 European men only being left in charge of each unit, the staff officer of the siege train, Major Noble, R.A., remaining in charge of the whole. The train was to be got up to Quetta as soon as possible, and there parked. By the 13th or 14th of March the two units of the train which were respectively at Jacobabad and Sukkur, had arrived at Dadur, having marched up the new road without difficulty, and they now only waited the completion of the road through the Bolan to go to Quetta.

This road was begun early in February, and two companies of sappers, with the 19th Native Infantry, moved well into the pass the last week of that month to continue the arduous work. The road,

which took an entirely new line from Kirta, was complete to Much by the end of March, and, as I have before-mentioned, the siege train arrived in Quetta before May 1st.

The engineer park from Sukkur arrived at Dadur also about the end of February, and at Quetta in April. It required something like 400 camels as carriage.

The stores which were now thrown daily into Dadur by our train and by the contract convoys exceeded very considerably what was sent on by the Brahui camels. This, of course, had been expected and intended, the plan being, when the total quantity of stores had been carried to Dadur, to bring up the carriage and sweep the block from Dadur on to Quetta.

To relieve, however, to a slight extent the block at Dadur, and at the same time to store the pass, or, I should say, one of the higher stations in the pass, in anticipation of the brigade and the transport summering there, a few carts, some 120, were sent forward from the base, to work in the pass as far as the road was completed.

The ammunition carts of the siege train, which were very strong and capacious, and which had most excellent teams of bullocks, were also brought into use for this duty; and while the train was halting at Dadur, these carts made some three trips to Much, taking over 3,000 maunds of stores.

At the end of March it was reported that Sukkur would be clear of food supplies and stores very early in April. This would give the total amount of food carried from the 1st of January to be 200,000 maunds, of which but a very small proportion had been carried in January.

On the fact of Sukkur being nearly empty being reported to head-quarters, the commissariat authorities stated that they considered that what had been carried was quite sufficient for the then reduced force in Southern Afghanistan. This was good news for all concerned with the transport, as it meant that the line would be quite clear from Sukkur to Dadur by the 20th of April, if not earlier; then all the carriage would be transferred to Dadur, to work on to Quetta. It was important that all Europeans should be got out of the Cutchee plains as soon as possible. The heat was beginning to be severe, and the incessant strain on men and animals was beginning to tell. The Government of India, however, dashed all the newly formed hopes to the ground, by ordering 100,000 maunds of food supplies to be thrown at once into Sukkur, for immediate conveyance to the front. Transport officers and men had to make up their minds to a few weeks more of Cutchee heat.

At this time, as if to add to the difficulties, an order was received to send 1,700 good camels, and 2,000 mules and ponies, to the front. The camel trains was thus considerably reduced. The ponies and mules had just been equipped and would have given a certain amount of help; of course most of these animals were sent on loaded, but some were not, so as to ensure them arriving in as good condition as possible. More than 700 of the camels sent up were employed in carrying treasure.

The additional 100,000 maunds which I have just spoken of, were eventually reduced to 50,000; but even with this reduction the line from Sukkur to Dadur was not finally cleared up until close on the 20th of May.

By this time the camels of the train had become comparatively few in number; the mortality during the last few weeks had been very great, owing to the continued work and excessive heat; nearly all the good camels had been or were being sent forward to the front, so that nothing remained but between 2,000 and 3,000 sick and sore-backed animals. It was decided that these were to be sent back to graze in the district around Jacobabad, so as to recover strength and condition for work in the ensuing cold weather. The march back of these sick camels was a remarkable one, as it shows how camels die off when exposed to severe heat and continued work. A native officer of cavalry, with a party of sowars, started from the neighbourhood of Dadur with about 1,800 *unloaded* camels; he arrived in a week or six days at Jacobabad, with something under 1,200, the balance having just died on the road.

The large block of stores which was at Dadur early in May was to be worked up the Pass by carts, the ponies, and mules, and donkeys which we still had.

At the end of May Dadur was clear of all that had to be carried, a large amount of ordnance and commissariat stores being left there, a native officer and some 60 or 70 sepoys remaining as a guard. The transport offices, carts, and bullocks were then moved up the Pass.

Some 1,800 ponies and mules, with a large number of donkeys also, were, however, still at Dadur and Eree-ka-Sher, which last place you see is some 15 or 16 miles from Dadur, on the Jacobabad road. They were on the point of starting up the Pass when cholera broke out among the followers at both places, also in the town of Dadur.

The officer in charge determined not to move up the Pass for fear of the disease spreading among the bulk of the transport followers and the brigade, which were now at Dozan and Much. Medical aid was sent from Quetta and Jacobabad as soon as possible, and some officers went down to assist the one transport officer who was in charge of these ponies, &c. At Eree-ka-Sher there was a Commissariat Officer who had been up the line on duty and was returning to Sukkur.

It is not my intention to give here a detailed account of the horrors of that epidemic. Suffice it to say, that there was more unselfish devotion shown by European officers and warrant officers during that time than is in my power to describe. The Commissariat Officer, who I have just mentioned, delayed his return when the cholera appeared, and alone at first; afterwards, with one medical subordinate to assist him, he attended those struck down by this fell disease as if they had been his brothers; night and day he sat by the side of the sick, ministering to their wants; able only at long intervals to snatch a few minutes of that repose so greatly needed, so hardly earned. And remember! that his work was not in the well-ventilated, well arranged wards of a hospital, but in rudely constructed grass sheds, exposed to the burning and, I may say, almost deadly heat of

June in the Cutchee Plain. Not until the disease had been got fairly under, and those who survived had joined the rest of the train at Dadur, did he leave his post. Gentlemen, this officer was Lieutenant-Colonel Shewell, of the Bombay Commissariat.

Similar scenes had been enacted at Dadur. Equal devotion and attention had been shown there. The mortality had been very great; the postal and telegraph officials died in one night. The town of Dadur suffered severely. One Commissariat Warrant Officer, who had rendered himself conspicuous by his cheerful and unremitting aid to the sick, himself fell a victim, but not until the cholera had been nearly stamped out; he lived to see his efforts crowned with success and then, brave man, succumbed to that disease with which he had combated so long and so well.

Though great precautions had been taken, isolated cases occurred in the Pass, and some of the sepoys of the 1st Grenadiers, 19th Native Infantry, and Sappers and Miners died—but very few. As I have before said, convoys of carts, the camels transferred to the front, and the Brahui contractors, had successfully cleared Dadur of what had to be carried by the end of May.

Thus early in June the whole of our transport, except the sick camels, was located in the Pass. A large repairing depôt was established at Much, so as to get the carts and gear into order. Various grazing camps were established for the bullocks, which had become somewhat low in condition after the hard work they had done, and many of them very footsore. Some of these camps were near Dozan, some near Sir-i-Bolan. The camps had to be selected so as to ensure good grazing close by and a good water supply. Sometimes the water had to be brought by aqueducts, one especially we looked on as a great triumph. It was a masonry aqueduct of more than a mile in length, from Dozan down to the Bolan. Some watercourses that were made exceeded this in length, notably one leading from the Bolan river to New Abigum, which you see here on the map.

It had often been stated that there was no subsistence for animals in the Bolan; the fallacy of this statement was proved by the fact that all these animals, numbering considerably over 4,000, were grazed there during the summer months; and very large supplies of forage cut and stacked for future use in the winter.

I have just spoken of the repairing depôt at Much. The carts were in great need of repair. The 2,400 carts which had been supplied from Bombay were thoroughly good, strong, and well seasoned, but the very best cart ever turned out of a workshop would be unable to withstand successfully the burning blasts of the Cutchee Plain during April and May. Everything that was possible had been done to keep them in good order; grass had been bound round the naves and spokes, and when possible kept moist; but the train was continually working, and despite of all precautions spokes would get loose, felloes crack, and then some sudden jolt would cause a complete collapse.

All the remnants were collected at Much, and from these remnants serviceable carts were put together.

In June, some cart roads having been opened out beyond Quetta, an

order was received to transfer 500 carts with 1,000 bullocks to the transport authorities there. This was speedily done, as it gave considerable relief to the resources of the Pass.

I have now almost concluded the account of those transport operations which it was my lot to witness.

The work that had been ordered had been done, and done successfully.

That there was a considerable mortality among the animals, and much wear and tear of material, is certainly the case, but I affirm that it would have been beyond human power to prevent it. Incessant and hard work in the summer months in a climate like that of Upper Sind, can have but one result.

Camels, in my opinion, and I do but echo that of many far more experienced than myself, cannot really thrive unless regularly grazed; and to graze camels working in daily stages would, with grazing close at hand, be very difficult; and when the grazing is at a distance it becomes an impossibility. Of course grazing when working in a hostile country is not practicable. The following are a few lines from a Minute written by Sir Richard Temple, in which, speaking of the superiority of cart over camel carriage, he says:—

"It is often astonishing to see what a small number of sappers can "do in making cross-country lines passable for carts of a military "transport train. Hard and costly experience teaches us that, "however valuable some camels may be for commercial caravans, the "Indian camels are unsuited for military transport in Afghanistan. "The loss of these camels by death in vast numbers is a cause of grave "military risk."

This is the opinion of one whose experience in transport matters is as lengthened as it is varied.

The main points to which I would wish to draw your attention, with reference to the foregoing remarks, are these:—

First. That this transport service was entirely independent of commissariat control, being solely under General Phayre. That the Commissariat Department was not intimately connected with it I do not for a moment say. They had hard and often difficult work, and always did it well; but they had nothing whatever to do with the organization and working of the train.

Second. That the work was carried on for a great time in the summer months, a feat of which any transport service might be proud. The severe blow which the train received by the outbreak of cholera is to be much lamented, but it would have been tenfold more disastrous if it had occurred before the bulk of the transport had moved up the Pass; as it was we lost over 300 followers, and a small proportion of non-commissioned officers and sepoys.

The *third* point is, that the service was carried on entirely by Government animals and by contractors. No hired transport was used. Contract carriage is very different to hired carriage, and it involves little or no trouble, and no anxiety as to providing for the animals and followers. While on the subject of hired transport, I do not think it out of place to read another extract from a Minute by Sir

Richard Temple, dated September 9, 1879, which bears directly on this subject. He says, "That the amount of transport required for "active service, such as the late campaign in Afghanistan, is so great "that to hire transport is synonymous to pressing it from the people "of the district from which it is hired, and impressment of the means of "transport must lead to impressment of drivers, who naturally (having "no interest whatever in the campaign in which they are called upon to "serve) render the most unwilling service, and take the earliest oppor- "tunity of rendering their animals unservicable, in hopes of escaping a "distasteful duty. This service is frequently so unpopular that, sooner "than leave the boundaries of their native country, the impressed "drivers desert, leaving their animals in the hands of the transport "authorities, or take them away with them, if not supervised and "guarded with the utmost care. Again, compensation must be given "for animals hired in case of death or hurt. This very fact of com- "pensation is in itself an inducement to owners to damage or even "kill their animals, and this is a source of great expense to Govern- "ment. The hire and consequent impressment of transport thus "becomes a real hardship on the people of the country nearest to the "seat of war, and the experience of the late campaign will doubtless "show the immense difficulties of settling accounts for this sort of "transport. For the above reasons I should recommend that all "transport for a campaign be the property of Government. This will "induce better care of the animals which, if properly looked after, "will, even in the face of great casualties, prove valuable property to "Government at the end of a campaign. When transport on a large "scale is really hired without impressment, if such be possible, which "I doubt, we must take what we can get, whereas, if we purchase we "can pick and choose, and supply willing attendants from other parts "of India if necessary."

This, I may say, is the opinion of a recognized authority on the subject.

Before advancing some theories on the subject of a transport for Asiatic warfare, I may conclude the first part of my subject by pointing out to you how the face of the country through which these operations took place has been and is being changed.

The dreary march of 159 miles from Sukkur to the foot of the hills at Dadur is now no more. You can journey comfortably from Ruk, which you see is just west of Sukkur, to Sibi in seven or eight hours by railway. The line is even now gradually but surely advancing into the Beloochistan hills, and ere long will reach the Quetta plateau. By this time two years, if the scheme is carried out, any one of you will be able to travel to Candahar in less than two days from Karachi or Mooltan, and when the railway reaches Candahar, that place becomes our base for any future operations in Central Asia, which may be undertaken for the sake of upholding the British Empire in the East.

I now turn to the second part of my paper.—A Transport Service for Asiatic warfare.

In the time at my disposal it will not be possible for me to go into minute details concerning the organization of such a service, I shall

only be able to speak generally; since in transport matters as in everything else, "circumstances alter cases."

It may, I think, be safely presumed, that in an Asiatic campaign, such as we may be engaged in, there would be no railways in the actual theatre of war, so in these remarks we start with the hypothesis that the base of our transport service is at that point where our railway system, or river communication, may end—as Sukkur was the base for our army in southern Afghanistan in the campaign of 1878-79, and as Sibi became the base for that army when the railway had reached that point.

The transport service should be of two kinds: the transport service proper, and the corps or regimental transport service, and it is with the organization and working of these two kinds of transport that we have to deal.

First let us turn to the transport service, not the regimental one.

The duty of this service would be to convey all commissariat stores, ordnance stores, munitions of war, and material generally. This department should be under the control of the director or director general of transport, as the case might be. This officer should be in direct communication with the commander of the forces, and above all things he should be entirely distinct from the commissariat department, and in no way under their control.

Some people advocate the transport being worked by the commissariat department, but for many reasons this is to be deprecated. This department is in time of war strained to its utmost, without having the management and organization of a transport service thrown on its shoulders; again, there is not a sufficiently military element in the organization of the commissariat to secure the efficiency of a transport service worked by it.

A transport service cannot be really efficient unless there is a very strong military element diffused throughout its composition. Why? because in the first place transport followers, in whatever country they may be, are proverbially dragged from the dregs of the population, and to keep them in order, a tight hand, just and ready punishment, a constant supervision, and military regularity, are all required. In the second place, there is no service in which the chain of responsibility, which is the soul of military organization, is so necessary. Though, as departments, the commissariat and transport should be entirely separate, yet, as their work has to dovetail together, it should therefore be the endeavour of every officer employed in either department to avoid those petty departmental frictions which are so common, and so fatal to efficiency.

The head of the commissariat department being in constant communication with the commander of the force, would be thoroughly posted as to all movements of troops, and his arrangements would be made accordingly. The head of the transport department is in the same way kept informed as to how much his department will be required to carry, when and where the stores will be wanted, and when and where the said stores will be handed over to him for transport. After receiving charge of these stores, the transport

department would be alone responsible for their delivery at the specified places on the specified date. The responsibility of the supply of the various depôts along the line of communication would thus rest on the transport, provided of course that the stores were handed over to them in proper time. In short, the commissariat is to provide stores and supplies; the transport to carry them: two entirely independent operations.

The service is either carried out on the staging system, or by convoys. The former plan can hardly be adopted on the first advance of an army into a hostile country; where, however, the line of march traverses at first friendly countries it may be with safety adopted, such for instance as the 150 miles from Sukkur to Dadur. The staging system is very simple, and consists in establishing a certain number of animals or carts at each stage, half of which move to the stage to their front each day, returning the next. The advantages of this system are, that the animals are more stationary, living as it were at two stages, and every other day on the return journey being without loads; that there is less difficulty in the regular feeding and watering of the animals; that they can be better supervised by the transport officers; that the gear is more easily kept in repair, there being establishments at each stage for the repair of harness; that the office work can be done better, and is attended with less difficulties; and that sick animals can be better looked after. These advantages are no light ones.

When the distance between any two stages is exceptionally long, a third or even fourth relief of animals may be with advantage kept up.

The staging system is certainly less wearing to men and animals than the convoy system, and whenever possible should be adopted. The whole service is kept more compact, and each transport officer is less likely to be separated from his particular division or sub-division of the train.

If the line of march however is in an enemy's country, and open to attack, the service must be worked by large convoys accompanying at first the advance of the troops, and afterwards strongly escorted with such a strength of escort as the authorities may think advisable.

Before a campaign is actually begun, it should be clearly ascertained, either from the experience of former campaigns or from local knowledge, what is the best kind of transport carriage to adopt, what is most easily procurable, and what prospect there is of being able to obtain suitable grass or fodder along the lines of communication for the animals; as the transport of grass or hay along a line of communication for the supply of a whole transport service, in addition to the supply of the horses of the troops, adds such a burden to the department, that unless the line of communication be unusually short, it would be almost impossible to bear it. Every point along the line to which grass can be brought from the surrounding country should be stocked as soon as possible. In selecting transport the following points should be borne in mind: that, where they can be used, there is no carriage equal to cart carriage. That camels, though most

useful, are precarious carriage, unless suitable food and their natural forage is obtainable; that they are delicate animals, and at times the mortality from sickness becomes so severe, that it would cripple any transport service however highly organized. That mules are recognized as the best and hardiest of all pack animals, especially are they valuable in a hilly country; they are however somewhat particular about the water they drink, and they are not very suitable for carrying long bulky parcels, such as a Sepoy's pal or tent.

That ponies are fair transport, but when they lose condition they are extremely liable to sore backs.

That bullocks are very excellent pack animals, having great patience and endurance. In rough and rocky country however they are extremely liable to become footsore, and require to be kept well shod. This last remark applies of course to ponies and mules as well.

The subject of pack saddles is a very difficult one. I am not sure that there is at present a thoroughly satisfactory one, but as a general rule, if the pack saddle of the country or district be used, of course strongly made up, no great mistake can be made.

The appointment of officers to the transport service is a subject that should receive great attention. At present the service is without doubt an unpopular one, and it is so for many obvious reasons, which however it is not my intention to discuss—suffice it to say that I think few men who had once been employed as transport officers, would care about being employed in the service again, if they could join in a campaign in any other way; of course for the sake of going on service most men will do anything. I should suggest that this service might be made more attractive. For it should be remembered that on its efficiency depends the efficiency of the army.

An army without a good and adequate transport service may remain hopelessly stranded at some point in the theatre of war, without either the means of advance or retreat, and possibly exposed to privation from the actual want of food. Can there be anything more likely to encourage and inspirit an enemy than to see their opponents in this plight? However superior in arms, physique, or discipline they may be, still they are crippled. To quote the words of Colonel Hamley in his "Operations of War," in speaking of what is necessary for the efficiency of an army—"Food, ammunition, clothing, medicine, and "recruits must find free access to it, and the stream of these supplies "must be unceasing." And this means that the transport service must be first rate. The question of giving a certain number of officers a transport training in time of peace will be discussed hereafter.

The commissioned officers of the transport service would consist of directors, superintendents, and assistant superintendents.

The director-general or head of the service would be in constant communication with the commander of the force, and with the head of the commissariat department. All orders to the directors should be through him, and except in a case of extreme emergency, no commanding officer (except of course the commander of the force), whatever his rank, should be allowed to interfere in any way in the working of the service. Under each director of transport there

should be a number of superintendents of transport—officers of some standing and experience—their numbers of course depending on the size of the service; but one to every 2,000 animals or 1,000 carts would not be too many for efficiency, especially when it is considered that the actual office work of every transport officer, connected with the payment of followers and rationing both followers and animals, is very great.

Under each superintendent of transport there should be a certain number of officers styled assistant superintendents, under each of whom a certain proportion of the 2,000 animals or 1,000 carts would be placed, and these officers would be personally responsible to their superintendent for the correct supervision of those animals, &c., placed in their charge. Three assistant superintendents to each superintendent would be sufficient. These numbers give a proportion of four commissioned officers to every 2,000 animals, that is, one officer to 500 animals; this may be thought excessive and expensive; it certainly appears to be so; whether it would prove so in the long run is open to argument. Certain it is that the more officers with a transport service, the better looked after are the animals, which is the essential point of all transport service.

The directors would be in charge of very large divisions of the transport, and they should each have a complete staff consisting of a personal assistant, a paymaster and a quartermaster, each of whom should have a well organized office establishment. The paymaster would arrange the accounts of that portion of the service to which he belonged, providing each superintendent with funds for the payment of those followers under his command, checking the monthly accounts from transport officers, and submitting them to the head office with the director-general. There is nothing so necessary to keep the followers of a transport service contented, as to pay them with rigid regularity.

The duties of the quartermaster would be of an arduous nature, and would consist in the receipt and issue of all transport material, carts, harness, saddles, line-gear, &c., &c. The keeping the ledgers of these stores is heavy work, and requires efficient and experienced clerks.

The director-general would have a complete staff of experienced officers, among whom would be the chief transport paymaster and the chief transport quartermaster, through whom all accounts would go to Government.

In addition to the large number of commissioned officers with a transport service, there should be a very large proportion of non-commissioned officers and men to assist in the working of the train, and to help to infuse that discipline and regularity so really essential to efficiency. Under each assistant superintendent there should be two smart, active non-commissioned officers, and some six privates. I would suggest that in India, and where our Indians soldiers may be employed—one half of these non-commissioned officers and men should belong to the native army, the other half to the British service, and men who understand something of the language should if possible be

employed. In addition to the employment of the non-commissioned officers and men above referred to, it would be well that there should be a military transport police, that is, each superintendent of transport might have under him some 10 or 12 soldiers employed as policemen, of whom a certain proportion (at least half) should be mounted. They would exercise a very wholesome influence throughout the train, and much aid the officers and men employed in the executive work of the transport.

Thus for 2,000 animals with 500 followers there would be the following establishment of officers and men :—

1 Superintendent.
2 Assistant superintendents, each in charge of about 670 animals and 170 followers.
3 Non-commissioned officers, each in charge of about 335 animals and 85 followers.
18 Privates, each in charge of about 112 animals and 28 followers.
12 Privates, employed as military transport police.

From among the followers themselves a certain proportion of men should be chosen as mates, or as they would be called in India, jemadars, who would receive a little higher pay than the ordinary followers, and who would assist the non-commissioned officers and men in carrying out their duties, working under them of course. According to the animals and carts employed, there would be a proportion of shoeing smiths, camel doctors, carpenters, and leather workers.

And to this point, viz., having an efficient staff of artificers, shoeing smiths, and men who understand the diseases of the animals employed, special attention should be given; so that all harness, line gear, &c., may be kept in thorough repair, that the animals may be kept regularly shod up, and that when sick or galled they may be speedily attended to. It is highly important that the sick list of animals should be as small as possible, for a sick animal not only does no work, but it wants someone to look after it.

It may be argued that many of the above suggestions entail a large employment of officers and men who would be valuable elsewhere. The actual number per 2,000 animals would be 4 officers, and 24 non-commissioned officers and men employed in executive work, and 12 men employed as police, making a total of 4 officers and 36 non-commissioned officers and men. This appears very large no doubt; but the other side of the question is this, that from the thorough supervision which by the employment of this large number of men would be secured, an immense saving in the loss of transport animals would be effected, and the efficiency of the transport secured.

But when you come to think of what the actual money value to Government of 2,000 animals, or 1,000 carts with 2,000 bullocks is, I do not think this proportion too great. 2,000 camels would represent at least Rs. 140,000; 2,000 ponies about Rs. 110,000; 2,000 mules about Rs. 250,000 to Rs. 300,000; 1,000 carts with 2,000 bullocks

would represent at the least Rs. 200,000; and of course the more care taken of these animals, the more valuable they are to Government at the close of a campaign, and their sale would make an appreciable difference in the cost of a transport service.

I am convinced that the employment of non-commissioned officers and men in the executive of the transport is, as a matter of fact, quite, if not more economical than the employment of civilians for the same duties. For instance, the inspectors of the transport service organized early in 1879, for the conveyance of an enormous quantity of stores, &c., to the army in southern Afghanistan, received salaries ranging from 60 to 75 rupees a month, and certainly the work would have been more cheaply, and I am sure better done by good non-commissioned officers and men, who have all the advantages of having been educated to military discipline and regularity.

As I have before stated, when transport is worked by stages it is kept more compact. A superintendent would be in charge of one or two stages, according to the strength of the daily train, his officers and men with their respective animals divided among the two stages, or all at one. And it should be the endeavour of the directors never to separate officers from their particular part of the train; of course in working with convoys there would be some difficulty about this, especially with small convoys; but with moderately large convoys it could be managed on the following plan. Say for instance a convoy of 1,000 animals or 500 carts has to start daily. A superintendent's charge consisting of 2,000 animals or 1,000 carts, it would be necessary to separate him by one day at least from half of his charge, but then two of his assistant superintendents would accompany the leading convoy, and he with one assistant would accompany the rear one, the artificers, &c., being equally divided. If the daily convoy consists only of 500 animals or 250 carts, then only one officer can go with each convoy. It should be the endeavour of the director of transport, if a superintendent's charge be split up in the way I have described, to send its component parts one after the other, without allowing a convoy from a separate charge to intervene, as its re-union in the quickest time will thus be secured.

I must now turn for a few moments to the subject of the engagement and pay of transport followers. The followers should if possible be engaged from those friendly districts adjacent to the country in which the campaign takes place, and through which the line of communication may pass. They are more likely to be accustomed to the climate, and feel as it were more at home.

The subject of the pay of the transport followers was the source of much trouble in the late campaign in Afghanistan. Men performing the same duties had been engaged, some at one place on one rate of pay, others at another place on another rate of pay, and of course, when together, those on the lower rate were naturally dissatisfied.

Each man on his engagement should be given a card on which his name, native village, district, date of engagement, and rate of pay should be written, and it should be signed by the officer who engaged

him. Every payment made to the man subsequent to his engagement should be entered on the back of the card by the officer making the payment, and the date up to which the man has been paid shown. Each follower should be clearly informed that he must always present this card before he can expect to receive his monthly pay.

There is one point of great importance which I have not yet touched upon, and that is the size of the packages to be transported. Large and unwieldy parcels cause an infinity of trouble. I have seen cases which from their size might contain a piano, handed over to a transport officer to carry; of course no pack animal save an elephant could have attempted to carry it. Unevenly shaped and weighted packages cause uneven loading, than which there is no more fruitful source of sore backs. No parcel should be of excessive weight; and they should all be made up of such size, shape and weight, that animals can be quickly and conveniently loaded with them.

The following table will show the carrying power of the various kinds of transport carriage: —

	lbs.		lbs.
Camels will carry from	320	to	450
Mules	160	to	250
Ponies	150	to	200
Men	30	to	50
Carts, with 1 pair of bullocks, on fairly level ground	800	to	900
Do. with 1 pair of bullocks, in hilly country	600	to	700
Do. do. 2 pairs of bullocks, on fairly level ground	1,200	to	1,500
Do. do. in hilly country	900	to	1,100

None of these loads are excessive, and animals in fair condition would carry them from 12 to 15 miles a day for many weeks continuously. It is not necessary in brief remarks of this nature to lay down the scale of food for the animals; that depends so much on the kind of food obtainable, the breed of the animals, the climate they are working in, and the work expected from them.

Now to turn to the other kind of transport, the regimental or corps transport.

Each corps should have attached to it sufficient carriages for the conveyance of the actual regimental stores, tents, &c., and seven days' rations. This carriage should be put in charge of an officer of the corps, with a fair proportion of non-commissioned officers and men, whose sole duty it should be to look after and maintain the efficiency of the regimental carriage; and as the comfort of each individual in a corps depends on the stores, tents, and food being properly transported, it can be concluded that the carriage would be kept in as an efficient a state as possible. Given in the first instance a sufficient number of carts in working order, or pack animals in good condition, to carry the required stores, their subsequent efficiency would depend entirely on the state the animals and their gear were kept in. As has

been before remarked, transport followers, viz., bullock drivers, camelmen, muleteers, &c., are as a rule drawn from the dregs of the population, and for the most part have little or no experience of the animals which they have charge of; they are prone to neglect and ill-treat them unless looked very well after, and in looking after them would lie the duty of the officer and men in whose charge the regimental transport was placed. If animals are regularly fed, and in cold climates clothed, and the gear, particularly the pack saddles, kept in good order, most of the elements of efficiency are present. A corps after it has once started on the campaign should never have transport changed (unless from some cause or another it becomes unserviceable), or taken out of its charge, except in some case of especial emergency, or in the case of the corps going into standing camp for any length of time, and even then it would be advisable, if possible, not to remove it. It may be said that this system of regimental transport would take a number of men from the effective strength of each corps; possibly so; but surely it is better that this should be the case, than that the men should ever be without food or shelter, even for 24 hours, as Wellington says, "a starving army is "worse than none." As regards the pay and rationing of the regimental transport followers, that also should be entirely under regimental control, and the followers of each regiment should have a distinguishing badge, so that there could never be any mistake as to which corps a man belonged to. Branding the animals and marking the carts with some distinguishing regimental mark would also be a good plan.

This regimental transport service is in my opinion of the utmost importance. It simplifies the whole transport service so much. The continual supplying of small numbers of animals, &c., from a transport service to regiments, and their subsequent return at some distant place, is a source of endless confusion and trouble connected with the men's pay, &c. I believe that no transport for an army can be thoroughly efficient unless the regimental or corps transport be adopted. The two services could work side by side without difficulty, and a corps with its own transport is always mobile, and is an ever ready factor of strength in an army.

The establishment of a transport service in time of peace, so as to secure increased efficiency in time of war, is a question entirely of expense. No country could afford to keep up a large transport service ready at any moment to take the field; but it is quite possible that certain "centres" of transport might be kept up. which would be capable of a rapid expansion on the breaking out of war. At these centres there might be a periodical "transport course." Through which "course" a certain number of officers, non-commissioned officers, and men might go. And they would acquire a great amount of practical knowledge connected with the animals and material with which they would have to deal if employed on transport duty in time of war.

It would be necessary to keep up at these centres a native establishment, not necessarily a large one. These natives could be instructed, some as shoeing smiths, some as leather workers, especially in the rapid

and efficient repair of pack saddles and line gear; some as carpenters, especially for the rapid repair of carts.

These experienced transport servants would, on the formation of a service for a campaign, be distributed among the newly engaged followers, and from their experience and training would be extremely valuable.

After "centres" such as I have described had been established a few years, Government would be able to lay their hands on a very large number of officers and men, who from their training would be invaluable in the formation of a transport service.

It appears to me, that a very few of these "centres" kept up on sound principles during peace, would be a very great element of strength in time of war.

As regards the regimental or corps transport in time of peace, somewhat the same plan might be adopted, only the men who would form the nucleus of the regimental shoeing smiths, carpenters, &c., should in time of peace remain at the "centres" I have just been speaking of. An officer, with non-commissioned officers and men, who had been through the transport course would, on a regiment being provided with transport for service, immediately take charge of this carriage, and then they would find how valuable was the knowledge they had gained while going through the transport course.

For reasons I have stated in the first part of this paper, I consider that all animals employed in a transport service should be the property of Government.

And now, Sir, I must conclude. I must thank you all for the very patient hearing you have given to my discourse on what is at best a dry subject, though to no soldier can the question of transport be altogether uninteresting. Before I sit down, however, let me ask you, ladies and gentlemen, to turn with me once more to the map, and glance at the town of Bagh, and in your mind's eye imagine a solitary little camp some marches out of Quetta.

These two places have a melancholy interest for all those connected with the operations which I have described in the first part of this paper, for at each of them we lost a transport officer; at Bagh Lieutenant Ventris of the Buffs, and at that lonely camp, Captain Perry of the 40th Regiment.

I cannot let this occasion pass without paying a tribute to their memory, hardworking, zealous and efficient transport officers, whose health succumbed at last to fatigue and to the climate in which they were working; they struggled on bravely to the end, and then dying sacrificed their lives to their duty.

The CHAIRMAN: I now invite discussion on this very interesting subject, and I do so with pleasure because I see many here who have given particular attention to this question of transport, and amongst them some who are very well acquainted with the districts to which the Lecturer has referred.

General Lord MARK KERR, C.B.: I wish to say one word, in consequence of a remark made by the Lecturer. It is this, viz., that without means of transport in time of peace, we cannot expect to have it ready in case of war. For many years I have endeavoured to impress upon our public men that whether in India, Africa, or England, we should have, not only a nucleus, but enough of well-built carts and

waggons—on the American, and not the English unwieldy and cumbrous style—and then we may get animals to draw them when war occurs. But you cannot improvise the transport carts. This is an important truth which England has always seemed determined not to realise.

General Sir ARTHUR CUNYNGHAME, G.C.B.: Having been requested by Sir Garnet Wolseley to say a few words upon this subject, I am perfectly willing to do so, otherwise I should not have intruded upon your time. I entirely agree with Lieutenant Dean-Pitt as to the desirability of purchasing transports for war whenever it is possible, rather than depending upon hired transports. I agree, also, that we should have a small nucleus whereby non-commissioned Officers and men, and Officers, may be instructed in transport duties during a time of peace, so as to be in readiness when a war breaks out, and further, that they should be especially instructed in the repair of saddles, carts, &c. Having experienced the advantage of cart transport I concur in the advisability of its adoption wherever possible, which it almost invariably is—but being strong it also should be light, and I desire to record the great advantage in countries such as China, South Africa, and India—of Coolie transport as one of the most effective methods which can be adopted. I will only add that I generally agree with Lieutenant Dean-Pitt in his remarks in the excellent paper which he has read to us upon this interesting and most important subject.

Colonel DEANE: The axiom enunciated by General Lord Mark Kerr was recognised by the late Duke of Wellington, who found it necessary to found an establishment at Mysore for the breeding of cattle, called the "Amrut-Mahal," from which the celebrated Mysore breed of cattle emanated, that enabled him to carry out his campaigns in Southern India, and that establishment exists to this day. It has deteriorated in a great measure, but is still carried on under Government, the necessity for such an establishment being, I believe, the result of practical experience in that part of India.

Colonel MALCOM GREEN, C.B.: With regard to the heat in the district to which the Lecturer has referred, I may mention that in one instance, early in March, 1855, I was crossing with a cavalry detachment of 400 men and horses from Jacobabad to Sherpur, 30 miles, and we lost 117 horses from the effects of the heat. That was in March, but I believe the men in the case referred to by Lieutenant Dean-Pitt worked in that climate as late as the early part of June.

The CHAIRMAN: Allow me to thank the Lecturer, in your name, for the very interesting lecture he has given us. The subject is one of deep interest, not only to the military student, but to the nation at large, and it is of especial interest to the commander who is sent with a body of troops into the field against an enemy. Before entering upon a campaign I know nothing so vitally important to the safety of the force as this question of transport. I think if you will study the history of our various little wars and our various little expeditions, especially those carried on in mountainous countries, you will find that those which have failed, or which have done worst, have been those in which the arrangements had not been previously well worked out in the minutest detail with reference to the amount of baggage to be carried, or the number of animals required for its conveyance. The Lecturer referred, towards the close of his remarks, to the great difficulties encountered by those in charge of transport service owing to the great size and weight of the various packages to be carried. I have been witness to this difficulty during field operations, and it is a point that should not be neglected by those who have to frame the plans for a campaign. I should say that, as a rule (of course you may have munitions of war which will be exceptional), the baggage should be put together in packages of not more than 50 or 60 lbs., so that they may be easily handled and passed from one man to another, and also easily loaded on pack animals, two or three, or four, making up an ordinary load. If you will read the accounts of the campaigns of all the great commanders in ancient times, Hannibal, Cæsar, Alexander, and others, you will find that the question of keeping up the line of communications, the question of transport was a matter of very small importance compared with what it is now. Even the largest armies—those of Xerxes and Gengis Khan—when in the field fed upon the country which they invaded, and they took care never to move except when the crops were ripe. The munitions of war were supplied by the forests, from which they made their bows and arrows, and the pebbles of the stream supplied stones for

their slings. They required no powder and shot, no great scientific appliances, no great reserves of provisions. As for the sick and wounded, I fancy the appliances for healing them were of the simplest nature, perhaps by no means the worst; they depended upon nature to cure them. So that to move a large army was a simple matter compared with moving even a small detachment under the conditions of modern warfare. I remember that the greatest of modern commanders—Napoleon—when discussing, towards the close of his life, that great campaign (although it ruined him and his country), the campaign in Russia, and the arrangements he had made for keeping up his line of communications, for feeding the army along that line, for collecting supplies of all kinds, and for receiving news, boasted that not a single postboy between Moscow and Paris had lost his way or was killed, so exactly had he foreseen every difficulty and made all the arrangements necessary for carrying on a great campaign in an enemy's country at a very great distance from his base. In fact, to command an army in the field, in action at least, is a much simpler operation than to feed it. That is not an original remark of mine. It was Wellington who said that anyone could command a body of troops in a great battle, but there were few who could feed them after the battle was over. I fully concur in what the Lecturer said with regard to the description of transport to be used. It is a sort of axiom, and it will come home to every one who thinks over the subject, or has had any experience of warfare, that the worst description of transport you can have is pack animals. A sort of superstition has come to us from the times of the Peninsular War, which we carried on in a country where there were no good roads, and most of the lines of communication were through bad mountainous districts, that pack animals were a good means of conveying the baggage of an army, and our regulations were based upon that supposition. The fact is that where you have even the most ordinary track across a moderately level country, carts of the worst description are much better than the best description of pack animals. Camels are much better than most other animals, for the good reason, that with them you avoid the great general objection to pack animals, namely, that in a long march of ten or twelve hours, while men may lie down, the pack animals, which cannot be unloaded, must carry their burden the whole of the day. A camel, during a halt of half or a quarter of an hour, can lie down and obtain a certain amount of rest. Then there is another description of animal that must not be forgotten, the ox. Colonel Deane has referred to the use of oxen in Southern India. They were used largely by the Duke of Wellington in his campaign there. There is one point in their favour that ought not to be overlooked, that if they are about to die from being broken down, or having sore backs, you can always eat them, and that is a matter of great importance. The Lecturer has referred to the question of the military organization of transport, and I think every one who has studied the subject in foreign armies, or in our own, will agree with him on that point. The greatest possible element of disorder, inconvenience, and failure that you can introduce into any military operation is to make use of a large number of civilians, collected, as the Lecturer said, from all parts of the world, the riff-raff of society, turning them over to some poor, unfortunate officer whose great desire to see active service has induced them to accept this occupation. I cannot imagine a greater element of misfortune in an army than a transport composed of drivers of that class. As Lord Mark Kerr has said, it is absolutely necessary that you should have in times of peace a certain amount of transport, especially of transport material. In thinking over the transport requirements of a campaign, it is necessary to divide the subject into three parts (the Lecturer said two). The first division of the transport should be purely regimental, to be employed upon what may be regarded as simply regimental work, that is, the conveyance and distribution of ammunition, military supplies, and food for the troops engaged. The distribution of supplies is effected from temporarily established depôts, located at central points in rear of each division, each brigade, or each unit. The transport between these temporary depôts of distribution and the intermediate base (not the great base from which the army draws all its supplies), I think will have to be done generally by what the Lecturer has called the general transport of the army. Then comes the third description of transport to which the Lecturer has not referred, that is the transport required for keeping the magazines at the intermediate base of supply, filled and in a condition to supply the

army in the field with provisions. Reference has been made to the danger of depending upon the inhabitants of a country for men to drive your transport waggons and to take care of your transport animals. I remember that a few days after we left Tiensin, when we were advancing upon Pekin (we then believed that everything was to be peaceably arranged, although all military precautions had still to be taken), we woke up in the morning and found that all our drivers had bolted. Our transport consisted of carts that had been supplied to us by the Chinese Government by contractors and the country generally. I do not think that the carts were carried away, but all the mules and men had disappeared, except three drivers who belonged to me. I was very much astonished that these three men had not bolted also. I was then in charge of the topographical work of the force, and I had a small detachment of cavalry with me, and a very excellent duffadar in charge of it. I asked him in the course of conversation how he had managed to keep his men. I had previously told him that unless he looked after them well he would never get to Pekin. He then said, with great diffidence and reluctance, "I remember what you told me, and the "fact is, I tied the tails of those three men together over night, and then tied them "to the tent pole, and put a man over them." I mention that as an illustration of the difficulty of keeping or depending upon men who have no interest in the war as far as your side is concerned, but merely serve you from compulsion or for pay. There is one other very important point bearing directly upon the transport question, but as it is, I believe, under discussion at the present time, I shall say but little about it (it has been under discussion for the last 20 years, as long as I have been in the army), viz., whether the transport should be an integral portion of the Commissariat Department, or be worked by a purely military organization. I have no hesitation in saying, as far as my experience goes, whatever it may be worth, I have never, in any part of the world, seen the transport under the Commissariat without its breaking down. The Commissariat, as the Lecturer has said, has quite enough to do to feed the army, without looking after transport animals. A very large portion of the Commissariat Officers are hard worked, excellent men, who do their duty to the best of their ability, but their education is not such as to enable them to be judges of horses, or bullocks, and I do not think they are well calculated to whip into shape, to organize and to command a great Transport Department, hastily put together when war is declared, and composed of such men as those whom we must always expect to have in the transport service, nor do I think they are the best men to keep it in a state of efficiency. I do not know that I have anything further to add. I will merely say in conclusion that it is only by the collection after a campaign, of the sort of information conveyed to us in the lecture of to-day that we are able to draw up effective regulations for the guidance of our transport service in the future. If it were for nothing else than the information thus supplied by the Lecturer this afternoon, I am sure I should be justified in presenting to him, in your name your best thanks for his valuable and interesting lecture.

HARRISON AND SONS, PRINTERS IN ORDINARY TO HER MAJESTY, ST. MARTIN'S LANE.

RULES AND REGULATIONS

OF THE

BOMBAY NATIVE GENERAL LIBRARY,

ESTABLISHED IN THE YEAR 1845.

FRAMJEE COWASJEE INSTITUTE,

ESPLANADE.

BOMBAY:
PRINTED BY N. R. RÁNINÁ AT THE UNION PRESS.

1868.

RULES AND REGULATIONS

OF THE

BOMBAY NATIVE GENERAL LIBRARY.

The Bombay Native General Library is the first institution of its kind established in Bombay, in the year 1845.

It has been amalgamated with the Library of the Students' Literary and Scientific Society, and forms a component part of the Framjee Cowasjee Institute, erected on the verge of the Esplanade.

Members of the Institution are divided into three classes, viz:—

1. Gentlemen paying Rs 150 by one donation shall be called "Life Members" and are entitled to all the privileges of First class Members.

2. First class Members paying two Rupees per mensem, are entitled to the first perusal of the periodicals and to take out two sets of books at a time.

3. Second class Members paying one Rupee per mensem, are entitled to read the periodicals after circulation to the First class Members, and to take out two sets of books at a time.

4. Third class Subscribers paying eight Annas per mensem, are not entitled to take out either books or periodicals, but merely to read in the Library.

5. Members of the "Students' Literary and Scientific Society," are admitted to the privileges of the 1st and 2nd classes, at the same rates of subscription less by the amount of subscription which they pay to the said Society, namely four Annas per mensem.

6. Every person desirous of becoming a member of the Library shall apply to the Secretary either personally or by letter, and the Secretary shall admit the applicant on his own responsibility, or submit the application to the Managing Committee for its decision.

7. All subscriptions shall be paid quarterly in advance.

8. Members admitted at any period between the 1st and the 31st of a month, shall pay the whole of that month's subscription.

9. Members who permit their subscriptions to fall into arrears one quarter may be struck off the list at the discretion of the Managing Committee.

10. An Annual General Meeting of the Members of the Library shall be held as early as practicable after the close of each year.

11. The management of the Library shall be vested in a Committee, consisting of six Members to be elected annually by the First and Second class Members of the Institution.

12 Three Members serving on the Managing Committee shall form a quorum.

13. Only First and Second class Members are entitled to vote on questions relating to the management of the Library, or are eligible to serve on the Managing Committee.

14. The control of the Funds, the appointment of a Secretary, Assistant Secretary and Treasurer and all other matters connected with the internal economy of the Institution shall rest with the Managing Committee.

15. The Secretary and the Treasurer shall be members of the Managing Committee ex-officio.

16. At the close of its period of office the Managing Committee shall render an account of its stewardship to the Members of the Library.

17. The Treasurer of the Library will recover all subscriptions and other monies which may be due to the Institution.

18. The accounts of the Library will be audited monthly or quarterly by Auditors (not less than two in number), who will be elected at each Annual General Meeting of the members.

19. The accounts will also be open to the inspection of the members for one week prior to each Annual General Meeting, of which due notice shall be given to the members.

20. Newspapers shall be on the Library table for the perusal of all but they are not to be taken out of the Reading Room.

21. All sketches, illustrations, comments, criticisms or marginal annotations in books, periodicals, &c., are strictly prohibited.

22. The Reading Room is open from 6 A. M. till 8 P. M. daily.

23. Books will be issued & received from 8 to 11 A. M. and from 2 to 6 P. M. (Sundays excepted.)

24. The Librarian is to attend to all orders punctually, to keep a daily Register of books issued and returned, to furnish monthly re

ports of the same to the Secretary; and to exmine the book when issued and returned, and to report to the Secretary with regard to the condition of the latter when necessary.

25. No works shall be issued by the Librarian unless the parties entitled to them either sign the entry in the Register or send a receipt for them. Verbal messages sent by servants will not be attended to.

26. A Book shall be laid on the Library table for members to enter in it any work they may wish for.

27. Any book lost or damaged shall be charged to the party in whose name it stands, at such price as shall be fixed by the Managing Committee.

28. First class Members shall be entitled to the first perusal of all new works.

29. No new work shall be issued to either 1st or 2nd class Members till it has been one week on the table in the Reading Room to admit of its being seen and perused generally by the body of the subscribers; a monthly notice of the new books received to be also sent round to the members.

30. Books, &c., shall not be transferred by one member to another, or lent to parties unconnected with the Library.

31. Any member requiring a book which may have been issued may insert, or cause to be inserted, his name in a Register kept for that purpose; and it shall be the duty of the Librarian to apply for it as soon as the period prescribed has expired, and to issue it according to priority of application.

32. Members on leaving Bombay are required, before their departure, to return to the Library all books belonging to it in their possession, and to pay their subscription for the quarter in which they withdraw.

33. No book of reference or manuscript shall be taken out of the Library, unless written permission is previously obtained from the Secretary.

34. Members or Subscribers withdrawing from the Library will be required to pay their subscriptions for the quarter in which they withdraw and to send intimation in writing to the Secretary of their withdrawal, before the expiration of the said quarter and to return immediately any books they may have in their possession belonging to the Institution, and until they do so, they will be reckoned as Members or Subscribers.

35. As a general rule, no work, if duodecimo or octavo is to be kept longer than 7 days, and if a quarto longer than 14 days, but in the perusal of books, particularly new publications, members are expected to be as expeditious as possible, in order that every one may be accommodated.

36. Members keeping works longer than the above periods may be called upon by the Librarian to return them, or to submit an application for a further extension should the work be one that could not with facility be perused in those periods.

37. Such of the proceedings of the Managing Committee as may involve any alteration in the nature of these Rules shall not be brought into operation until confirmed by the members at a General meeting.

The following works shall be considered as Books of reference, and subject to the restriction specified in Rule 33

All books of Prints, Atlases and Maps except such as belong to particular works, and all Encyclopædias, Gazetteers, Dictionaries, and Grammars.

THE

BOMBAY NATIVE GENERAL LIBRARY.

Donations are hereby urgently solicited, from the public with a view of forming a separate fund, to be called "*New Book Fund Account*" the interest of which alone will be used in the purchase of new works either monthly or quarterly as the Managing Committee of the Library may think proper.

The Books so purchased will be set apart in the name of the donor as his contribution to the Library.

Donation of Rs. 1000 and upward shall, be carried to the above mentioned Fund.

Donations from Rs. 100 up to Rs. 300 shall form the Capital or Reserve Fund the interest of which shall be appropriated for the purpose of defraying the current expenses of the Library.

THE FOURTH ANNUAL

REPORT

OF THE

S. John's Cottage Hospital,

FOR WOMEN AND CHILDREN,

BABOOLA TANK ROAD, BOMBAY.

1879.

Bombay:
PRINTED AT THE
EDUCATION SOCIETY'S PRESS, BYCULLA.

1880.

S. John's Cottage Hospital.

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Consulting Surgeon.

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THE BANK OF BOMBAY.

S. John's Cottage Hospital

FOR WOMEN AND CHILDREN,

BABOOLA TANK ROAD,

BOMBAY.

OBJECT OF THE INSTITUTION.

The object of this Institution is to provide for Sick European and Eurasian Women and Children the comforts of a *Home*, combined with the Medical care and skilled Nursing of a good Hospital. It is able also to receive a few convalescent patients, or persons in temporary distress.

The management is in the hands of a Council, including the Medical Officers, Warden, Treasurer, and Secretary.

The Hospital is supported by voluntary contributions, but patients whose circumstances admit of it are expected to contribute towards the expenses of the Institution. There is accommodation for twenty patients.

One ward is set apart for lying-in cases.

Applications for admission, or for Nurses for private families, are to be made to the Sister Superior, at the Hospital.

Cases of infectious disease and mental disorder will not be admitted.

FOURTH ANNUAL REPORT, 1879.

The number of patients admitted into the Cottage Hospital during the past year has been 82 (including 18 midwifery cases), two less than in the previous year. In addition to the number of out-patients mentioned in the Surgeon's Report, a considerable number of persons from the district with burns, skin diseases, or sores, have been tended by the Sisters at the Hospital, and some at their own homes.

The income derived from donations and subscriptions, sale of work, and collecting boxes, has been Rs. 4,947-2-5.

The expenditure, including medical stores, repairs, rates, &c., Rs. 5,004-7-9. Both are less than in the previous year, when some expensive alterations were made for the benefit of the midwifery wards.

It has been found that several who avail themselves of the benefits of the Cottage Hospital are well able to pay at the rate of one rupee a day, and prefer to do so. Consequently, the amount received from patients has been larger by Rs. 219 than last year. At the same time those who are in want continue to be the special object of this charity.

But the work carried on by this institution is not to be gauged by the benefits received by the sick within its walls alone. It has been the means of more widespread usefulness and charity.

One of the lady-nurses, who was trained in large London hospitals, has given her voluntary services at the European General Hospital, and taken charge during the past year of the night work in the men's wards. The other nurses attached to the Hospital have attended thirteen cases of sick people in Bombay or the Mofussil, during the year, and received high testimonials for their services both from the doctors and their patients.

It is intended to develop this important part of the work, so that duly qualified nurses may always be obtained from the Hospital. Several applications for nurses during the year could not be attended to owing to the insufficient number of the staff.

The Hospital has been true to its character as a *Home* not only for the sick, but has also received several persons, twelve in all, who have found in it an asylum in time of temporary distress, arising from various causes. The religious character of the institution and the daily services in the chapel being well calculated to minister the comfort and strength sought for.

Others, also, have found some spiritual blessing and help in the two retreats for ladies, which have been conducted in the chapel in the course of the year, by Father Rivington.

The Hospital (for some months in the year) provided a home for the two Sisters who teach in the Girls' School at Mazagon, and for another lady, whose work lies with the native population in the neighbourhood, and who has been carrying on a school for Jewish children in an outer hall of the building. The sum credited to the Hospital as 'Payments for board' is on their behalf.

In one of the rooms of the house the Church Needle-work Society has met fortnightly, and a large quantity of altar linen of all kinds, and other ecclesiastical needle-work and embroidery, has been undertaken.

During the year a register has been kept of women out of employment who have applied to the Clergy or at the Hospital for work. Careful enquiry has been made as to their character before entering their names on the register. In this way good situations have in some cases been obtained for them.

It will be seen from the above that the work of the Institution is not limited to the care of the sick, though this was, and still is, its primary object, but it has done a good work in various ways.

We cannot close this report without paying a tribute to the memory of the late Sister Rosamund, whose many years' service in nursing the sick was brought to a close by a malignant tumour which appeared soon after her arrival in India and proved fatal.

It is a cause for much thankfulness, that another Sister, also skilled in nursing, should have already been sent out from England, to take her place at the Hospital.

The Council, in conclusion, have to thank the Medical Officers of the Institution,—the Consulting Physician, Dr. H. Cook, the Consulting Surgeon, Dr. Blanc, the Visiting Surgeons, and others who have so generously given their valuable services. Their best thanks are due to Dr. Arnott, and his successor Dr. Bainbridge, and to Dr. Gerson Da Cunha, who since the time that both the former left Bombay has resumed the place of Visiting Surgeon, which he held at the opening of the Institution in 1876.

REPORT OF THE SURGEON.

The number of in-patients treated at S. John's Cottage Hospital during the year 1879 was eighty-two, of whom seventy were women and twelve children. Of these, two died—one woman and one child, the former from pneumonia with a cardiac complication, the latter from convulsions, having been admitted in a precarious condition.

Of out-patients, forty-seven cases were treated.

Comparing the working of the Hospital for the year under report with that of the preceding year, it will be found that the total of in-patients in 1878 was eighty-four, showing a decrease of two in 1879. Among the out-patients the decrease amounts to fourteen; for while the total of out-patients in 1878 was sixty-one, in 1879 it was only forty-seven.

The cases may be classified as follows :—

	In.	*Out.*
Midwifery	18	...
Fevers	10	6
Liver Diseases	5	1
Lung do.	6	5
Dysentery and Diarrhœa	5	2
Dyspepsia and Constipation	2	9
Uterine Diseases	10	7
Nervous do.	6	3
Lymphatic do.	5	...
Debility	8	1
Tumours	1	1
Tonsillitis	...	1
Dentition	...	1
Worms	...	5

	In.	*Out.*
Skin Diseases	...	1
Eye do.	1	...
Ear do.	...	1
Abortions	2	...
Accidents	1	...
Syphilis	2	2
Rheumatism	...	1
	82	47

The accident above mentioned was a fracture of the right femur. Of the two tumours one was a fibroma of the uterus. It was removed with marked success by the Consulting Surgeon of the Institution, assisted by the Home Surgeon of the Jamsetjee Jejeebhoy Hospital.

The diet and nursing of the patients was excellent. I owe my best thanks to the Lady Superintendent for her very efficient assistance.

J. GERSON DA CUNHA, M.R.C.S.

Bombay, January 17th, 1880.

BALANCE SHEET FOR THE YEAR 1879.

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	a.	p.		Rs.	a.	p.
Balance brought forward—At Bank	350	1	1	Bazaar	2,556	2	3
Cash in hand.. ...	250	10	9	Furniture	35	2	6
Monthly Subscriptions	2,231	0	0	Clothing	6	12	0
Donations—				Salaries	1,500	3	0
				Printing and Stationery	60	15	6
Donors	956	4	9	Medicine and Medical Stores	194	11	0
Offertories	206	10	9	Rates and Repairs	172	13	9
Patients	795	8	0	Lighting	306	3	4
Collecting Boxes	120	10	11	Wine, &c.	69	6	0
				Exchange	2	8	0
Payments for board	510	0	0	Sundries	99	10	11
				Balance—At Bank	391	12	1
Sale of Articles	127	0	0	Cash in hand	151	10	5
Total.....Rupees	5,547	14	3	Total.....Rupees	5,547	14	3

Examined and found correct.

HAROLD CURJEL,
D. SEALY, } Auditors

FRED. C. BREWIN,
Treasurer.

SUBSCRIPTION AND DONATION LIST.

NAMES.	Subscriptions.	Donations.
	Rs. a. p.	Rs. a. p.
Anonymous	.....	5 0 0
Anonymous	.....	5 0 0
An Old Johnian	.....	25 0 0
Arch, Mrs.	5 0 0	.....
Atts, E...	.....	100 0 0
B., Miss, per	.....	16 0 0
Bakes, Mrs.	.....	2 0 0
Banks, C.	120 0 6	.....
Barnett, Lieut. Col.	.....	10 0 0
Baylis, A.	24 0 0	.....
Bell, Wilson	.....	10 0 0
Boileau, R.	12 0 0	.....
Bombay, Lord Bishop of	100 0 0	.....
Boorer, Mrs.	.....	20 0 0
Boyne, Mrs.	.....	5 0 0
Brewin, F. C.	60 0 0	.....
Brooks, Joshua	22 0 0	.....
Brown, Mrs.	5 0 0	.....
Burridge, Mrs...	.....	5 0 0
Byrne, Mrs.	.....	7 0 0
C. A. B.	38 0 0	.....
Canitz, Mrs.	.....	20 0 0
Carey, Capt. Le Marchant	.....	5 0 0
Carr, Mrs.	.....	55 0 0
Clarke, Mrs.	.....	10 0 0
Cooke, H. R.	30 0 0	.....
Cooke, Miss	30 0 0	.....
Cooper, Mrs. C. P.	14 0 0	25 0 0
Counsell, T.	24 0 0	.....
Craister, T. L.	.....	5 0 0
Cross, Mrs.	.....	10 0 0
Cutler, Mrs.	.....	15 0 0
Daly, Mrs.	.....	17 0 0
Dawson, Mrs. John	25 0 0	.....
Douglas, Miss	.....	3 0 0
Dumayne, Mrs.	36 0 0	.....
Duthy, Rev. R. H.	.....	10 0 0
Duxbury, Mrs...	.....	5 0 0
Edwards, Mrs...	10 0 0	.....
Ellis, Mrs.	.....	5 0 0
Evans, Mrs.	50 0 0	.....
Excelsior Lodge, per E. B. Beardmore	.....	25 0 0
Fairbairn, J. N.	39 0 0	.....
Carried forward...	644 0 0	420 0 0

NAMES.	Subscriptions.	Donations.
	Rs. a. p.	Rs. a. p.
Brought forward...	644 0 0	420 0 0
F. C. H.	.....	3 0 0
Ffennel, Rev. W. J.	.....	12 0 0
Fido, J. T.	1 ,0 0	.....
Flotsom and Jetsam	.....	12 8 0
Forbes, H. D. E.	.....	120 0 0
Ford, Mrs.	.....	8 0 0
Freeborn, E.	10 0 0	.....
Gay, E.	100 0 0	.....
G. C.	12 0 0	.....
Gibbs, Mrs.	.....	60 0 0
Graham, Mrs. H. W...	24 0 0	.....
Grondona, C.	35 0 0	.....
Grant, Mrs.	.....	19 0 0
Hanson, Mrs.	.....	9 0 0
Hathornthwaite, J. T...	60 0 0	.....
Hearn, Mrs. Risley V.	.....	25 0 0
Herbert, W.	12 0 0	.....
Hett, Mrs.	.....	10 0 0
Higgs, Mrs.	.....	40 0 0
Hope, Hon'ble T. C...	.....	200 0 0
Horton, Mrs.	.....	42 0 0
Hume, Miss	.....	20 0 0
Hussey, Mrs. W. H.	.....	10 0 0
Hynes, L. G.	25 0 0	.....
Isaac, Theodore Ter....	.....	5 2 9
Jacomb, H. E....	.....	20 0 0
Jenkinson, Mrs.	.....	10 0 0
Jervoise, Capt. J. P.	60 0 0	.....
J. P.	.....	20 0 0
Johnson, Mrs.	.....	7 0 0
King, Fred.	.....	5 0 0
LaMarche, Mrs.	.....	20 0 0
Lamb, Miss	.....	20 0 0
Lang, Mrs. Basil	14 0 0	10 0 0
Laurence's, Mrs., Fund, per Rev. G. C. Reynell...	.....	100 0 0
Lewis, Rev. A. G.	30 0 0	.....
MacEwen, Mrs.	24 0 0	.....
Midwinter, Rev. H. A.	12 0 0	.....
Muraglia, F.	.....	60 0 0
Murphy, Mrs.	.....	15 0 0
Murphy, Mrs.	.....	8 0 0
Nelson, Mrs.	9 0 0	7 0 0
Northcote, Mrs.	.....	12 0 0
Ollroy, C.	36 0 0	.....
Payments for ladies' board	.....	510 0 0
Pearl, Mrs.	.....	30 0 0
Peck, Mrs.	.....	6 0 0
Pellingall, Mrs.	.....	11 0 0
Carried forward...	1,108 0 0	1,880 10 9

NAMES.	Subscriptions.	Donations.
	Rs. a. p.	Rs. a. p.
Brought forward...	1,108 0 0	1,880 10 9
Peterson, Mr.	6 0 0	.....
Peterson, Mrs.	.....	25 0 0
Pickering, Miss, collected by	.....	5 0 0
Pinhey, Hon'ble R. H.	300 0 0	.....
Poole, Clement	60 0 0	.....
Potter, Mrs.	.....	12 0 0
Powell, Mrs.	30 0 0	.....
Poyntz, J. W. W.	12 0 0	.....
Quintin, Mrs.	20 0 0	14 0 0
Reid, Mrs. George	.....	5 0 0
Riley, Mrs.	.....	50 0 0
Rivington, F. H.	.....	59 10 0
Ruth, Mrs.	.....	21 0 0
Sale of Articles	.....	127 0 0
Scott, Mrs.	1 0 0	7 0 0
Sharpin, Rev. F. L.	33 0 0	.....
Shepherd, James	48 0 0	.....
Skinner, Mrs.	3 0 0	.....
Smith, Mrs.	.....	15 0 0
Spilling, Mrs.	.....	15 0 0
Squibb, Mrs.	.....	5 0 0
Stacey, Mrs.	.....	30 0 0
Stephens, Mrs.	14 0 0	.....
Steuart, Lady	50 0 0	.....
Sutherland, Mrs.	.....	12 0 0
Swan, Mrs.	.....	10 0 0
Tarry, Mrs.	11 0 0	7 0 0
Taylor, Mrs.	.....	42 0 0
Toole, Mrs.	.....	11 0 0
Turner, Sir Charles	505 0 0	.....
Ward, C.	10 0 0	.....
Westwood, J.	11 0 0	5 0 0
Wilcox, Mrs.	.....	1 8 0
Willis, Mrs.	9 0 0	8 0 0
Willmott, Mrs....	.....	15 0 0
OFFERTORIES.		
Ghorepuri Chapel	.....	10 8 0
Hospital Chapel	.....	7 4 0
Igatpuri Church	.....	33 10 0
Lanoli Church...	.....	22 10 0
Mahableshwar Church	.....	45 0 0
St. John's, Colaba	.....	3 0 0
Do. Baptismal offering	.....	4 0 0
St. Peter's, Mazagon	.....	80 10 9
Carried forward...	2,231 0 0	2,589 7 6

NAMES.	Subscriptions.	Donations.
	Rs. a. p.	Rs. a. p.
Brought forward...	2,231 0 0	2,589 7 6
COLLECTING BOXES.		
Hospital Box	.....	37 7 0
St. Peter's Church, Mazagon	.....	53 10 6
Sealy, Mrs.	.....	4 4 3
Walker, W. H., collected from officers and men of P. and O. Steamers	.....	25 5 2
Total ...	2,231 0 0	2,716 2 5

GIFTS TO THE HOSPITAL.

Provisions, Wine, Beer, Tea, &c.—Mrs. Cooper; Mrs. Brown; Mrs. Beyts; Mrs. MacEwen; Mrs. Oliver; Mrs. David; Mrs. Dawson; Mrs. Hearn; Mrs. Evans; Mrs. Reynell; Mrs. Brewin; Mrs. Gosling; Mrs. Ashdown; Mrs. Dumayne; Mrs. Hussey; Mrs. Alroyd; Miss Pridgeon; Mrs. Bhandare; Mr. Counsell; Mr. J. H. Branson; Mr. Babajee Luxmon; Mr. J. C. de Athaide; Mr. Callaghan.

Clothing and Linen.—Mrs. Pinhey; Mrs. Dawson; Mrs. Hearn; Mrs. Cooper; Mrs. Thacker; Miss Oliver; Mrs. Douglas; Miss Wade; Miss Simon.

Clothes and Needle-work for Sale.—Lady Stuart; Mrs. Hills; Mrs. Evans; Mrs. Henderson; Mrs. Counsell; Mrs. Grant; Mrs. Wilmot; Mrs. Spencer; Mrs. Beyts; Mrs. Bhandare; Mrs. Brewin; Miss Boileau; Mrs. Lawrence; Miss Hume; Mrs. Higgs; The Cowley S. John Work Society; Lewisham Needle-work Society; All Saints Bombay Mission Association.

Books, Pictures, Toys, &c.—Mrs. Pinhey; Mrs. Hart; Mrs. Hills; Miss Oliver; Miss Wade; Miss Simon.

Plants and Flowers.—Mrs. Hearn; Mrs. Reynell; Mrs. Gosling; Mrs. Ashdown; Mr. Babajee Luxmon; Mr. Hallen, large jar of rosewater; Mrs. David, a water bottle; Mrs. Brewin, Incense.

For the Chapel.—Mrs. Sealy, kneeling carpet for the altar rails; Mrs. Lawrence, 4 chairs; Miss Pridgeon, mat for the altar.

Mr. MacEwen and Mr. Counsell, designing and superintending work.

The sum of 220 Rs. collected "in grateful remembrance of the Missions of 1878 and 1879," (Calcutta), will be entered in next year's donation list.

THE

RENT QUESTION,

BY

PARBATI CHARN ROY,

DEPUTY COLLECTOR, DEARAH SETTLEMENT,

DACCA AND FURREEDPOOR.

CALCUTTA:
PRINTED AT THE "ENGLISHMAN" PRESS.

1876.

THE
RENT QUESTION.

THE peace of rural Bengal is disturbed. Landlords and Tenants disagree. This conflict of opposed interests is producing evil consequences. The existing Rent Laws have been found incapable of remedying this state of affairs. The anxiety of the authorities for the peaceful government of the country has, in consequence, increased, and His Honor the Lieutenant-Governor has, with his well-known solicitude for the good of the millions entrusted to his care, come forward to meet the difficulty. He has proposed a solution for this important problem, on the merits of which he has invited the opinion of all classes of people, official and non-official. In response to this invitation, many able and influential gentlemen, public and private, have submitted memorials and reports; and it may look like presumption on the part of the present writer to venture to offer his opinion and suggestions. He has, however, certain advantages, which may entitle his views on the subject to some consideration. He is neither a rich Zemindar, nor an actual cultivator, but belongs to the class of small landholders; moreover, he has had opportunities of working the Rent Law himself, and of seeing it worked by others. His official duties have often enabled him to see with his own eyes things as they exist in the Mofussil.

It will do no good to enter into a discussion of what the respective rights and duties of Landlords and Tenants were either before, or after, the Permanent Settlement, previous to Act X. of 1859. For whatever advantages the Zemindars enjoyed before, ceased to exist with the passing of that Act, which is justly considered the *magna charta* of the Ryot, and it would not be a wise step in Legislation to go back to the former times of extortion and exaction. All that the Legislature

can do now for the Zemindars would be to afford them greater facilities for the adjustment and realization of rents than they enjoy under the present laws. I propose, therefore, to confine my remarks principally to the law as it exists under Act X. of 1859.

First, as to the adjustment of rents. It would be a most interesting and instructive collection of facts, if Government were to cause inquiries to be made in the various Courts, Revenue and Civil, as to the number and nature of the enhancement cases instituted since 1859, in which the claims were decreed. But as yet no such enquiry has been ordered. Such an enquiry by Government is the more desirable, as it is not within the power of a private person to collect the necessary information. So far as facts may be gathered from the published Annual Reports of Government, it would appear that enhancement cases have been rather numerous.

The following table shows the number of the enhancement and abatement cases under Sec. 23, Clause 1, from 1859 to 1874.

1859-60	...	...	...	...	1,321
1860-61	...	...	...	...	3,295
1861-62	...	...	...	...	5,506
1862-63	...	...	...	...	4,849
1863-64	...	...	...	...	6,863
1864-65	...	...	...	...	7,676
1865-66	...	...	...	...	7,942
1866-67	...	...	...	...	7,988
1867-68	...	...	...	...	8,889
					54,329
1868-69	...	...	...	...	5,649
1869-70	...	...	...	...	4,000
1870-71	...	...	...	...	3,000
1871-72	...	...	...	...	2,839
1872-73	...	...	...	...	2,524
1873-74	...	...	...	...	2,815
1874-75	...	...	...	...	2,513
					67,669

As abatements are seldom, if ever, applied for, the enhancement cases may be put down at 67,000. But, in order to have the total number of the cases in which enhanced rates were claimed, it will be necessary to add to the above kabulyot cases, and those for arrears of rents at enhanced rates, instituted after service of notice. Taking the number of such cases to be 33,000, *i. e.*, half of the former, the total of both classes would be about 100,000.

The above fairly shows that, since the passing of Act X. of 1859, the Zemindars and Ryots have been largely involved in litigation for the adjustment of rents. In the absence of any figures showing the proportion of such cases as have been decreed, the present writer is under the necessity of relying on his own personal experience. He is of opinion that the Deputy Collectors were generally for giving decrees, and that the Moonsiffs have generally been for dismissals. Assuming therefore, that half the cases were decreed, we find that, during these 17 years, enhancements have been granted in about half a lac of cases. These, however, do not represent the actual number of enhancements that have taken place in consequence of these decrees. For, when a decree is obtained against one Ryot in a village, all the others in that and the surrounding villages generally settle their differences according to it. In this way, it will be found that, with the exception, it may be, of a few Zemindars and Talookdars, all the Landlords in each district have, more or less, raised the rents of their tenants, though it must be admitted that, as a rule, this increase has been very moderate. Those Landlords who have not raised the rents have been making up the difference in indirect ways, as, in the shape of *kharcha, mathot*, &c. And it was a fear of ultimately losing this kharcha, as well as the right of enhancements on the part of the Zemindars, and a desire to resist on the part of the Ryots, that led to the Pubna disturbances, for which both the Law and the Law officers are to blame, as well as the Landlords and Tenants.

Before therefore, any change is introduced into the present Law, it is necessary that the Legislature should carefully examine what have been the results of the existing Laws during the period they have been in force.

Considering these facts, the Government could ascertain by local inquiries the various rates current in the different districts. A commission consisting of experienced Revenue and Civil Officers could be appointed for the purpose. The Landlords could be asked, by means of a proclamation, to produce what *decrees* and *registered kabulyots* they possessed in proof of the enhanced rates. The records of the Revenue and Civil Courts (under the Rent Laws) could be consulted with advantage, and so could the books of the Registration offices, where large numbers of kabulyots are registered annually. The settlement records of Government, and resumed temporarily settled estates, would also furnish much valuable information. Having ascertained these rates, the next thing would be to declare the *highest rate* prevalent for *each kind of land* in portions of the district similarly circumstanced. These should be declared as the rates legally claimable by Landlords from Occupancy Ryots, no provision being neccesary for Non-occupancy ryots, in whose case competition comes into full play. The district rates being thus determined, Landlords, wishing to enhance, will have simply to prove to what class the land, for which enhanced rate is wanted, belongs. This will ultimately equalize rents in similar portions of a district, and, as the equalization would be gradual, the increased rate would not be much felt by the Ryots. On the other hand, those Landlords who are under the disadvantage of getting low rates would find this to be a great boon, and all parties, Landlords and Tenants, under similar circumstances in the same district, would be on a footing of equality. It seems that at the commencement all the rates in a Pergunnah, or other division of a district, were the same, and that the present inequalities have been the result of subsequent enhancements. The steps recommended here

will, therefore, only restore the state of things that existed before.

The rates thus fixed might be allowed to remain unaltered for, say, ten years, at the expiration of which they might be revised with reference to the increase, or decrease, in the productive powers of the land, and to the increase, or decrease, in the value of produce, according to the principle laid down by the High Court in the well known case of Thakooranee Dashee.

The present *productive powers of each class of land for each description of crops* may be ascertained with pretty sufficient accuracy, and so may the *present prices* of all kinds of produce. These may be recorded for *each class of land*, and published in the *Calcutta Gazette*. When, at the expiration of ten years, the question of revision is taken up, these facts will be found to be of very great use. It is not to be supposed that in a question like this, into which many concrete elements enter, there can be anything like an *accurate* solution for *each particular field*. This never has been, and never can be, the case. To expect it, would be to expect what is impossible. All that is possible, and what Government at present wants, is a solution which would answer *approximately* the requirements of each case. Broadly speaking, such an adjustment as the above will have all the *advantages of a general land settlement* by Government, so far as Landlords and Tenants are concerned. When those classes will rightly understand their relative positions, they will cease to quarrel, and will cultivate friendly feelings. The adjustment, as pointed out above, will require some preliminary inquiries, involving an expenditure which Government might not be prepared to incur in a cause which, at first sight, seems not likely to benefit it in a pecuniary sense. But, if a *reduction in the number of cases be a gain to Government*, this will undoubtedly result in such a gain. Of all the schemes proposed, this will be the fairest and most equitable to both parties. It will in most cases give the zemindars a moderate increase, and leave room for a further increment. It will make ryots more secure

than they are at present, for, within ten years, they will not be troubled for an increase.

As disputes regarding the lengths of measurement-poles are very common, and are a fruitful source of litigation, the rates should be declared with reference to the *Standard Biggah*. From Government using the Biggah measure in all its mehals, Landlords and Tenants have become sufficiently familiar with it, and there will be no difficulty on their part in adjusting rents, if the rates are fixed for the Biggah. Another advantage of fixing the rates for the standard Biggah will be the gradual introduction of a uniform standard of superficial measure in all the provinces under the Lieutenant-Governor of Bengal.

The above measures will, it is believed, very fairly settle the dispute so far as the adjustment of rent is concerned. But, as, in consequence of opposition from the Zemindars, and the difficulties attending the preliminary inquiry, they may not be adopted, it may be well to consider how far the proposal to give the Zemindar a fixed share of the gross, or the net, produce, can be carried out with advantage to both parties.

The scheme laid down in the Minute of His Honor the Lieutenant-Governor is, in theory, no doubt, a very good one; but, practically, it would, in the humble opinion of the present writer, work to the disadvantage of both parties. It would create fresh complications, which would be a fruitful source of litigation.

In the first place, His Honor proceeds on the supposition that a difference exists between the rents of Occupancy and Non-occupancy Ryots, which, however, is not always the case. The Landlords, be it said to their credit, do not, as a rule, take higher rents from Non-occupancy Ryots than from Occupancy Ryots. But what they take is a lump sum, in the shape of a *bonus*, called *Salami*, or *Nazar*, paid at the time the Non-occupancy ryot first takes up his land. This amount is regulated by

competition. But, as it varies in each case, according to the nature of the land and the urgency of the demand, it is not possible to strike an average that will suit all circumstances. The consideration of the case of Non-occupancy Ryots, in framing the law for Occupancy Ryots, will only increase the difficulty. Matters might, certainly, be much simplified if a small proportion of the gross produce (such as His Honor proposes to adopt, as the last resort, in cases where the competitive rate cannot otherwise be determined) were laid down for all cases. Again, the different gradations of Occupancy Ryots, according to their length of tenure, will have only the effect of increasing litigation. The ryots, in whose favour these gradations are intended, are, in consequence of their ignorance, likely to suffer more than the Zemindars. These gradations have not been, it would appear, received favourably by either the Landlords or Tenants, and it is believed that Government will easily perceive their unsuitableness.

Calculating the rents of Non-occupancy Ryots at 20 per cent. or $\frac{1}{5}$ of the gross produce, His Honor makes an allowance of from 20 to 67 per cent. on those rents in favour of different classes of Occupancy Ryots, according to the length of their tenures. Presuming that *these scales will ultimately be dropped,* and that *one simple rule will be laid down instead,* it would be fair, and in keeping with the general spirit of the rules proposed by His Honor, if the Landlord's share were fixed at $\frac{1}{6}$ or $\frac{1}{7}$ of the gross produce from all classes of Occupancy Ryots. But, if the payment of this, or any other, proportion *in its entirety be at once enforced,* the consequence will be ruinous to ryots. In many cases, though the present rates are low, the ryot's holding is too small to afford of any great increase in rent without great sufferings to himself.

From inquiries made by the present writer in different parts of the Dacca and Furreedpore districts, he is of opinion that the money value of the yield per Biggah in these districts generally varies from Rs. 5 to Rs. 20. Sometimes, from the exceptionally valuable nature of the crops—such as sugar-cane,

betel, &c., &c., it may be as high as Rs. 50; but this is not the general rate.

In the absence of any correct Statistics regarding produce and rent, the following information, collected from Government office records, may not be uninteresting.

The current rates for cultivated lands in some of the *Khasmehals* in Dacca are given below$:—

Name of Estate.	Rent of cultivable land per Biggah.
Chur Tarpasha	10 as.
Mandael	9 as. to 11½ as.
Sripasha	8 as. to 13 as.
Hamgaon	8 as. to 10 as.
Kebulnugger	8 as. to 13 as.
Talook Ramjibun Surma	7 as. to 9 as.
Beel Nalye	9 as.
Talook Boloram Sircar	6¼ as. to 7½ as.
Joar Joymondol	8½as to 11 as.
Talook Ramshib Deb	10 as. to 12 as.
Chur Jeetrampoor	6 as.
Talook Seetaram Doss	9 as
Chur Dilwarpoor	6 as. to 10¾ as.
Jooar Asrufpoor	12 as. to Re. 1-2

The above gives a fair idea of the rates current in the District, which, as will be seen, vary from 6 annas to Re. 1-2. In some exceptional cases, the rate may be as low as 4 annas, or as high as Re. 1-8; but the average rate for ordinary land may be put down as 12 as. per Biggah.

It appears from the Collector's Return XLI B. for 1873-74 that the yield per acre is as follows:—

	Produce per acre in lbs.
Rice	480 to 1,440
Wheat	480 to 880
Oil-seeds	120 to 240
Fibres	240 to 480

The above, corrected by the personal experience of the writer, gives the following average:—

	Mds. per Biggah	Price per Md.	Total Value.
Rice	... 6	... 1 4 0	... 7 8 0
Oil-seeds	... 2	... 3 0 0	... 6 0 0
Fibres	... 5	... 3 0 0	... 15 0 0
Pulses	... 3	... 0 12 0	... 2 4 0
			Rs. 30 12 0

Supposing the holding of a ryot to consist of 4 Biggahs of land, yielding 2 crops annually, the gross income from the lands would be double the above sum, *i. e.* Rs. 61-8. This, divided by 4, would give the money value of the yield per Biggah, which would be Rs. 15-6, or Rs. 16. It will appear from the above that the rent per Biggah bears to the money value of its produce the same ratio as 1 to 20, or, in other words, the Landlord's share of the gross produce is $\frac{1}{20}$. In some rare instances he may get more, but that cannot be considered a rule.

In settlements in Backergunge the following rates are adopted:—

	Rs. A. P.
Chur Shikmekandi ...	... 1 8 0
Chur Kanai	... 1 2 0
Chur Bheempasha ...	... 0 12 0 to Re. 1.
Daree Chur Jhalokati ...	... 1 3 0
Chur Kye Thali ...	... 1 4 0
Chur Chundael ...	... 1 8 0
Chur Kepaltashi ...	... 1 8 0
Hoshen Raja	... 1 8 0
Kisto Kati	... 1 2 0 to Re. 1-4.
Chur Nalua	... 0 12 0 to „ 1-4.
Chur Oodypoor ...	... 0 0 0 to 10as.
Shanshidhi Baleegaon ...	... 1 0 0 to Re. 1-8.
Madher Ghona ...	... 1 8 0

The average rent may thus be taken at Re. 1-3½, or Re. 1-4, for ordinary land. This is a little less than the rates for Backergunge Soonderbund lands, which are Re. 1-8 to Rs. 2, given in p. 5 of the Statistical Reporter for June, 1876. But, that it fairly represents the rate current in that district, appears from the Collector's Return XLI B. for 1872-73, where the rent per acre for rice land is put down at Rs. 4, giving Re. 1-5⅓ as per Biggah. It appears from the Statistical Reporter (p. 5., June, 1876) that the yield per Biggah of rice in the Backergunge Sunderbunds is 11½ maunds. This is rather too high a rate for the district generally, for which the average may fairly be put down at 9 maunds, the value of which, at the rate of 48 seers per rupee (the rate given in the Reporter), would be Rs. 7-8, to which is to be added the value of the second crop for the total annual value. The average yield per Biggah in this district, which is not less fertile than Dacca, may be taken as worth Rs. 16. The ratio of the rent to the value of gross produce would thus be $\frac{1}{13}$.

The rates current in Mymensing will appear from the following:—

	Rate of rental per Biggah.
Chur Sreepoor	... 4 as.
Chur Moochan Hasheralgee ...	... 5 as.
Chur Ram Mohan... ...	... 6 as. to 8 as.
Chur Jamoel	... 6 as. to 8 as.
Toke Chandpoor	... 7 as. to 9 as.
Jeebun Kisto Doss ...	... 12 as.
Joyer Chur	... 6 as. to 8 as.
Ram Kanto Chuckervarti ...	... 6 as. to 7 as.
Chur Bhella Moni... ...	... 6 as. to 8 as.
Chur Kadjoree	... 6 as. to 9 as.
Ram Shunker Dutt ...	... 12 as. to Re. 1.
Chur Khar Kharia ...	... 8 as.
Chur Ghoshparrah ...	... 4 as. to 8 as.
Chur Mashoor Kandi ...	... 8 as.

The average rate per Biggah calculated from the above is $8\frac{1}{2}$ as. The rate given in Return XLI B. for 1875-76, is Re. 1-2 to Rs. 4-8 per acre, which is 6 annas to Re. 1-8 per Biggah. As, however, there is a great difference between 6 annas and Re. 1-8, the average may, after careful comparison with the above Khas Mehal rates, be put down at 12 annas a Biggah.

The produce per Biggah is not obtainable for this district, but, as it adjoins Dacca, it may be nearly alike in both.

It appears from the Statistical Reporter p. 21, November 1875, that in Pooree, Cuttuck, and Balasore, the yield per acre is 50, 27, and 19 mds., respectively, and the rent for the same Rs. 4-12, Rs. 3, and Rs. 3, respectively. In Pooree thsi is for 1st class, and in the others for ordinary, lands. As the proportion of rice to paddy with reference to the weight is very nearly $\frac{2}{3}$ on an average (Statistical Reporter, p. 352, May 1876) and the price of rice per rupee in Pooree, Cuttack, and Balasore is $28\frac{2}{3}$ seers, $27\frac{1}{3}$ seers, and $30\frac{2}{3}$ seers respectively. The ratio of rent to value of gross produce in these districts would, therefore, be represented by the fractions $\frac{1}{10}$, $\frac{1}{9}$, and $\frac{1}{8}$. It is not said whether these lands produce a 2nd crop, or not; if they do the proportions would be less.

The gross value of crops produced by a Biggah of ordinary high land in Jessore is given as follows, in p. 334 of the Statistical Reporter for 1 May 1876:—

Paddy	Rs.	11	0	0
Mustard		6	0	0
Peas, Kalai, &c.		3	0	0
Total Rs.	20	0	0

The rent of this Biggah is stated to be Re. 1-8, and the ratio of rent to gross produce is, therefore, between $\frac{1}{13}$ and $\frac{1}{14}$.

In Rungpore, the rate current for 1st class land is Rs. 2 to Rs. 2-8, or, on an average, Rs. 2-4 per Biggah. The yield per acre is 30 maunds paddy and 6 maunds oil-seeds (Statistical Reporter, p. 199, March 1876), which gives 10 maunds paddy

and 2 maunds oil-seeds per Biggah. The quantity of rice from 10 maunds paddy will be 7 maunds, the price of which, at the rate of 25 seers to the rupee, would be Rs. 11-4. To this has to be added Rs. 6, the value of the mustard, at the rate of Rs. 3 per maund, and the total value of the produce will be Rs. 17-4. The ratio of rent to produce is, therefore, $\frac{2}{23}$, or $\frac{1}{8}$. There are various other kinds of crops produced in Rungpore, the principal of which are Jute, Sugarcane, and Tobacco. All these are very valuable, and the above proportion would, fairly speaking, be reduced to $\frac{1}{10}$.

It thus appears from the above that the proportion which rent bears to gross produce varies in the different districts. In Dacca and Mymensing, it is $\frac{1}{20}$; in Backergunge and Jessore, $\frac{1}{13}$; in Pooree, $\frac{1}{10}$; in Cuttuck, $\frac{1}{9}$; in Balasore, $\frac{1}{8}$; and in Rungpore, $\frac{1}{10}$. Leaving out the Orissa districts, we see that the rates in Bengal, generally, vary from Rs. 3-8 a Biggah to 12 annas a Biggah, and that the proportion of the rent to produce also varies from $\frac{1}{10}$ to $\frac{1}{20}$.

If the same proportion—say, $\frac{1}{6}$ or $\frac{1}{7}$—were fixed for all the districts, it would work in an unequal manner. The increase would be 50 per cent. in Rungpore, 100 per cent. in Backergunge and Jessore, and 200 per cent. in Dacca and Mymensing. The present writer admits that the proposal which would give the Zemindars $\frac{1}{6}$, or $\frac{1}{7}$, of the gross produce is fair and that it would be fairer still to give them $\frac{1}{4}$, or $\frac{1}{3}$, of the net profit. But what he would press upon the consideration of Government is the inadvisability of introducing any sudden and violent change.

Though it is to some extent true that the Ryot's condition has generally improved, this improvement has not been so great as it is supposed to be by outsiders. With the import of European articles, more glittering than lasting, a Ryot's luxuries have increased, but not so his actual wealth. Men who see him in the law courts, and the streets, cannot form a correct idea of what he is at home. With the exception

of a few—say, ten in a hundred—the Ryots live from hand to mouth, and not a few of them are involved in debts, from which they find it hard to get out in their lifetime. This is not generally owing to their idleness or improvidence. A Ryot's *circumstances* do not *depend so much* on *the comparative fertility or otherwise of the lands* contained in his holding, as on the *extent* of that holding.

"In the 24-Pergunnahs Soonderbunds, west of the Jaboona and Khalindee (where the proportion of rent to gross produce is $\frac{1}{6}$), a holding of anything *above* 150 Biggahs would be considered very large, and *below* 15 Biggahs, *very small.* In the same district, east of the abovenamed rivers, and in Jessore Soonderbunds (proportion $\frac{1}{7}$), with which the lands east of the Jaboona and Khalindee assimilate, 200 Biggahs and upwards would be considered a very large holding, *below* 20 Biggahs a *very small* one. In the 24-Pergunnahs on the west of the Jaboona and Khalindee, and in Backergunge (proportion $\frac{1}{6}$), 25 Biggahs of land would be considerd a *fair-sized, comfortable holding* for a *Ryot* with a *family*; but in Jessore, and in the eastern part of the 24-Pergunnahs Soonderbunds, a holding less than 35 Biggahs would *hardly suffice to maintain a Ryot and his family in comfort.*" (Statistical Reporter, p. 5, June 1876.)

In the district of Jessore, where in the north the average area of a Ryot's holding is 10 Biggahs, and in the south, 22 Biggahs, "the northern Ryot is evidently *not so well-off* as the occupant of the recently reclaimed tracts in the south, and *has to live more from hand to mouth,*" (Statistical Reporter, p. 42), though the latter pays a higher rent ($\frac{1}{7}$) than the former ($\frac{1}{18}$).

Government has published certain statistics regarding Ryotee holdings, compiled from the Road Cess returns. The statistics of the Dacca, Furreedpore, and Tipperah districts have been available to the present writer, and he has gathered therefrom the extents of the different classes of Ryotee

holdings in these districts. In each district the holdings are classified in the following manner:—

(I.) Those which pay annually rents above Rs. 100.

(II.) Those which pay annually rents above Rs. 50, not more than Rs. 100.

(III.) Those which pay annually rents above Rs. 20, but not more than Rs. 50.

(IV.) Those which pay annually rents above Rs. 5, but not more than Rs. 20.

(V.) Those which pay annually rents not above Rs. 5.

The number of Ryotee holdings in the Dacca district is 3,29,131, which is divided among these 5 classes in the following manner :—

Class ...	... Number	... Annual Rental. Rs.
Class I ...	... 155	... 43,067
„ II ...	... 339	... 22,700
„ III ...	... 7,596	... 2,14,154
„ IV ...	... 75,187	... 6,99,364
„ V ...	... 2,45,853	... 4,33,835

From this the following proportions are obtained :—In every 1,000 holdings, there are none of the 1st class, 1 of the 2nd class, 23 of the 3rd class, 228 of the 4th class, and 748 of the 5th class.

The average rental paid for a holding of each class is as follows:—

1st class	Rs. 276
2nd do.	... 67
3rd do.	... 28
4th do.	... 9
5th do.	Re. 1-12

Leaving out the 1st and 2nd classes, which do not represent the actual cultivators called Ryots, but middle-class men, called *Jotedars*, we have 23 Ryotee holdings, out of a 1,000, in which the annual rental is on an average Rs. 28, 228 Ryotee holdings in which the average annual rental is Rs. 9-4, and 747 Ryotee

holdings in which the average annual rental is only Re. 1-12. At the rate of 12as. a Biggah, the extent of holding of the above three classes would be 37 Biggahs, 12⅓ Biggahs, and 2⅓ Biggahs, respectively. The 3rd class holdings are not considerable, and, roughly speaking, ¼ of the Ryots hold on an average 12⅓ Biggahs, and ¾ only 2⅓ Biggahs each. It is true that the 5th class contains many holdings which are not *purely agricultaral*, such as those of fishermen and artisans, &c.; but, making all *possible deductions*, and taking the non-agricultural holdings to be equal to agricultural ones, the average holding of an agricultural Ryot of the 5th class in the Dacca district would not be more than double the above area, or, say, 5 Biggahs. This would not be considered a large holding; it is, in fact, as low as one could possibly be.

The Tipperah Statistics supply the following information:—

Name of class.	No. of holdings.	Total rental.
I ...	... 143 ...	... 21,281
II ...	... 2,147 ...	... 1,35,866
III ...	... 28,308 ...	... 8,22,157
IV	... 1,48,675 ...	... 14,66,942
V ...	... 3,67,689 ...	... 5,64,439
	Total 5,46,962	30,10,684

From the above, we find that, out of 1,000 holdings, there are none of class I., 4 of class II., 51 of class III., 271 of class IV., and 672 of class V. For reasons already given, we leave out of consideration classes I. and II. The average annual rental of a holding in Class III. is Rs. 28, in class IV. Rs. 9-13, and in class V. Re. 1-8. The rate of rent in this district, as given in the Collector's Return XLI. B. for 1873-74, is Rs. 3 per acre, or Re. 1 per Biggah. The average extent of a Ryot's holding in these 3 classes will, accordingly, be 28 Biggahs, 9½ Biggahs, and 1½ Biggah. But, as has been said in the case of the Dacca district, there are many holdings in class V. the owners of which are not actual cultivators. Taking these

to be about half the total number, the average holding of an actual cultivator of the lowest class would be double the above, or 3 Biggahs. It will thus appear that about $\frac{1}{4}$ of the agricultural Ryots in the Tipperah District hold about $9\frac{1}{2}$ Biggahs, and the remaining $\frac{3}{4}$ about 3 Biggahs of land each.

The statistics of the Furreedpore District show that there are in that district 36 holdings, with an annual rental Rs. 7,468, of the 1st class; 208, with annual rental Rs. 13,230, of the 2nd class; 3,007, with annual rental Rs. 81,522, of the 3rd class; 36,913, with annual rental Rs. 3,30,149, of the 4th class; and 1,24,708, with annual rental Rs. 2,06,344, of the 5th class. This gives the following proportions per 1,000 :—

1st class	...	...	...	None.
2nd do.	...	...	...	1
3rd do.	...	...	...	18
4th do.	...	...	...	223
5th do.	...	...	...	758

Leaving out of consideration, as before, the 1st two classes, we have the annual rental of a holding of the 3rd class Rs. 27, of one of the 4th class Rs. 8-15, and of the 5th class Re. 1-10.

The Collector's Return XLI. B. for 1872-73 for this district gives the average rent per acre at Re. 1-12, or, say, 10 as. per Biggah. Calculating accordingly, we find that an average holding of the 3rd class contains $43\frac{1}{3}$ Biggahs, of the 4th class $14\frac{3}{10}$ Biggahs, and of the 5th class $2\frac{1}{2}$ Biggahs. Taking, as before, half the holdings of the 5th class to be non-argicultural, the extent of each agricultural holding of this class would be double of $2\frac{1}{2}$ Biggahs, or 5 Biggahs.

The following is a comparative statement of the average extent of a holding of each of these 3 classes in the 3 districts named before :—

Name of District.	3rd class holding in Biggahs.	4th class holding in Biggahs.	5th class holding in Biggahs.
Dacca ...	... 37	... $12\frac{1}{3}$	... 5
Tipperah	... 28	... $9\frac{1}{2}$	... 3
Furreedpore	... $43\frac{1}{3}$	... $14\frac{3}{10}$	... 5

The first of the above columns gives an average large-sized Ryotee holding, the second an average middle-sized holding, and the third an average small-sized holding. It has been already shown that the large-sized holdings are very few, and, as the middle-sized ones form about a fourth of the entire holdings, we shall limit our consideration to the last class of small-sized holdings, forming $\frac{3}{4}$ of the entire number.

A Ryot holding 5 Biggahs of land would not, the present writer believes, be considered a well-to-do man. Of his 5 Biggahs, 1 Biggah would often be occupied by his house and trees, and he would have only 4 Biggahs to cultivate. From the general statement, I. A. annexed to the Census Report for 1872, it will appear that the number of persons per house in the Dacca district is 6·4, in Furreedpore 6·6, and in Tipperah 5. It is not to be supposed that, because a Ryot is a poor man, therefore he has fewer persons in his family than a well-to-do person. On the contrary, a Ryot is often *burdened* with more children than a Zemindar. Taking, therefore, the average to be 6 per house, we have the produce of 4 Biggahs of land, the money value of which is Rs. 61-8, as shown elsewhere, wherewith he has not only to feed and clothe himself and family, but also to pay rents. His condition would not, the writer believes, be said to be prosperous. It has been seen that, in the northern part of the Jessore district, a Ryot with a holding of 10 Biggahs has to live more from hand to mouth than a Ryot in the southern part, who has a larger holding. The difference in condition here is not owing to a difference in the productive powers of the lands, but to the comparative smallness, or largeness, of the holdings. The generality of the Dacca, Furreedpore, and Tipperah Ryots are,

therefore, from the smallness of their holdings, in much worse circumstances than the Jessore, Backergunge, and Soonderbund Ryots, though the latter pay a higher rent than the former.

If, therefore, the scheme advocated in the first part of these pages does not meet with the approval of Government, and a fixed proportion of the gross, or the net, produce be declared as the Zemindar's share, Government should take such steps as *would prevent the measure* from *producing revolutionary effects.* For, if the Zemindars are at once allowed the maximum share, the consequence would be that the Ryots will, in a *great majority* of cases, suffer *all the evils of rack-renting. Their rents will be doubled,* or *trebled,* or sometimes *quadrupled,* which, considering their circumstances, will only increase *pauperism. That the Ryots in Western Bengal* are *poorer* than the *Ryots of Eastern Bengal,* is to a very great extent owing to the *high rents* that prevail in the *Western Districts.*

A friend, writing from Boodbood, in Burdwan, where he has been lately transferred, says :—

"The most deplorable feature is that the people here are extremely poor. You cannot form, nor can I convey to you, the idea of the extreme proverty which prevails here. It may seem strange to you that the most renowned district of Bengal is so very poor. But such is the fact. Almost all the people take only one meal a day. The Brahmins, Mookerjeas, Bannerjeas, and Chatterjeas, the Ghoses and Boses, and all others, work in the field. The tenants are rack rented. Lands yield very little produce, and the consequence is that they constantly change hands. You may take it as a fact that the people of East Bengal are far better off than the people of this quarter. Such poverty as this ought to create grave anxiety, but the few persons who form the upper class are prone to enhance the rents of the already rack-rented tenants. The average rent of a Biggah of land here is not less than Rs. 3."

In connection with this, an extract from the Statistical Reporter, p. 138, for February, 1876, regarding the value of the gross produce per Biggah of land in Beerbhoom, is given below :—

Produce.	Price. Rs.	As.	P.
„ 20 Maunds of Paddy ...	8	0	0
„ Straw	1	8	0
„ 2 Maunds Khersari ...	1	8	0
„ Khersari Chaff	1	0	0
„ 4 Maunds Til	6	0	0
	18	0	0

As Burdwan and Beerbhoom are *adjoining districts*, things may be nearly *equal* in both. The ratio of rent to gross value of produce in Boodbood, of the poverty of which the friend speaks, is, therefore, represented by the fraction $\frac{1}{6}$. The same ratio, $\frac{1}{6}$, prevails, as has been already shown, in the Soonderbunds; but there the Ryots are very prosperous, and that is, no doubt, in consequence of the largeness of their holdings. Government should, therefore, be very careful in passing a Law which may reduce the Ryots of East Bengal to the condition of their Western fellow subjects.

In the opinion of the present writer, the law should first lay down the *maximum* share of the gross or the net produce payable by the Ryot to the Zemindar, and should then empower Government, in its executive capacity, to declare what should be the rates of rent, within that *maximum*, for the different classes of land in districts, or parts of districts, similarly situated. In doing this, Government should, through the Collectors and the Commissioners, first ascertain the gross value of average yield per Biggah for each kind of land in the district, and should therefrom determine the value of the landlord's *maximum* share. If, on a comparison of this latter value with the rent hitherto paid by the Ryot, the difference appears to be great, the Zemindar should not be allowed the full benefit of the law all at once,

but Government should have the power, after considering the peculiarities of the district as regards the density of its population, the comparative smallness or largeness of the Ryotee holdings, and the circumstances of the Ryots generally, to determine in a final manner what should be the amount of increase which the Ryot should pay the Zemindar for the different classes of land. The rents thus fixed should remain unaltered for a period of ten years, at the expiration of which Government should have power to revise them, and make a further enhancement, if necessary, in the above manner. In this way, every ten years, the rents would be revised, until the *maximum* was obtained. Such a measure as the above would have all the advantages of a general settlement of the land revenue, in which the rights of the different classes of holders were carefully determined, and the effect of it would be that the Landlord and the Tenant knowing that nothing was left to them, would cultivate peace and good will towards one another.

If, however, Government is not prepared to take up the settlement of the question in the manner indicated above, an easier, though a less satisfactory method, would be the following.

The *maximum* share of the gross or the net produce claimable by Zemindars being first of all declared, a provision might be made in favor of Ryots now paying very low rents, by enacting that in no instance should the new rents exceed the old one by more than fifty per cent. This enhanced rate might be made to last for a period of ten years, after the expiration of which a further increase might take place in the same manner. This mode of settlement would, however, be liable to several objections. (1) Petty landlords, who were not able to raise rents to the extent of their powerful brethren, would continue to labour under the disadvantage of unequal rents for a long time until the *maximum* was reached. (2) It being left with the Court to determine the money value of the produce in each case, different results would be arrived at by

different Courts for the same kinds of lands in the same district. (3) The decision of enhancement cases would continue to occupy a very large proportion of the Court's time, as at present, and there would be no pecuniary saving to Government by a reduction in the number of cases, as there would be under the first method. (4) It would fail to bring about that good understanding between Landlords and Tenants as the first method would do. But in either of the above ways the Zemindar would receive a moderate addition to his income, after every ten years, and the Ryot, not being subject to a sudden and heavy pressure, would know how to economise his means, so as, at the end, to meet the *maximum* demand of his Landlord, without any very great distress to his family.

Zemindars can have no grounds of complaint against either of the above measures. Previous to the settlement, whereby the demand of the State on land was permanently fixed, the greatest possible anxiety was felt, by both the author of that settlement (Lord Cornwallis) and the Court of Directors, regarding the interests of Ryots and the reservation of powers for the future enactment of such laws as would be required for their protection and well being. In his Minute, dated 3rd February 1790, Lord Cornwallis says:—

"In order to simplify the demand of the Landholder upon the Ryot, or cultivator of the soil, we must begin with fixing the demand of Government upon the former. This done, I have little doubt but that the holders will, without difficulty, be made to grant *pottas* to the Ryots upon the principles proposed by Mr. Shore in his propositions for the Bengal settlement. The value of the produce of the land is well-known to the proprietor or his officers, and to the Ryot who cultivates it; and is a standard which can always be resorted to by both parties for fixing equitable rates.

"Mr. Shore's propositions,—that the rents of the Ryots, by whatever rule or custom they may be demanded, shall be specific

as to their amount; that the Landholders shall be obliged, within a certain time, to grant *pottahs* or writings to their Ryots, in which this amount shall be inserted; and that no Ryot shall be liable to pay more than the sum actually specified in his *pottah*,—if duly enforced by the Collectors, will soon obviate the objection to a fixed assessment, founded upon the undefined state of the demands of the Landholders upon the Ryots. When a spirit of contentment is diffused throughout the country, the Ryots will find a further security in the competition of the Landholders to add to the number of their Tenants. Some interference is undoubtedly necessary on the part of Government for effecting an adjustment of the demands of the Zemindars on the Ryots. Unless we suppose the Ryots to be the absolute slaves of the Zemindars, every Biggah of land held by them must have been cultivated under an express or implied agreement that a certain sum should be paid for each Biggah of produce, and no more. Every *abwab*, or tax, imposed by the Zemindar, over and above that sum, is not only a breach of that agreement, but a direct violation of the established laws of the country. I do not hesitate, therefore, to give it as my opinion that the Zemindars, neither now or ever, could possess a right to impose taxes, or *abwabs*, upon the Ryots; and, if, from the confusions which prevailed towards the close of the Mogul Government, or neglect or want of information, since we have had possession of the country, new *abwabs* have been imposed by the Zemindars or farmers, our Government has an undoubted right to abolish such as are oppressive, and have never been confirmed by a competent authority, and to establish such Regulations as may prevent the practice of like abuses in future. Neither is the privilege which the Ryots in many parts of Bengal enjoy, of holding possession of the spots of land which they cultivate so long as they pay the revenue assessed upon them, by any means incompatible with the proprietary rights of the Zemindars. Whoever cultivates the land, the Zemindar can receive no more than the established rent, which, in most places, is fully

equal to what the cultivator can afford to pay." Harrington's Analysis, vol. II., pp 183-4.

It will appear from the above that the author of the Permanent Settlement was for the abolition of *abwabs* and for confirming the Zemindar's demand to only the established rent (rent established by rule or custom).

The Court of Directors expressed their views on the subject in the following manner :—

" We, therefore, wish to have it distinctly understood that, while we confirm to the landholders the possession of the districts which they now hold, and subject only to the revenue now settled, and while we disclaim any interference with respect to the situation of the Ryots, or the sums paid by them, with any view to an addition of revenue to ourselves, we expressly reserve the right which clearly belongs to us, as sovereigns, of interposing our authority in making, from time to time, all such regulations as may be necessary to prevent the Ryots being improperly disturbed in their possession, or loaded with unwarrantable exactions. A power exercised for the purposes we have mentioned, and which has no view to our own interests, except as they are connected with the general industry and prosperity of the country, can be no object of jealousy to the Landholders ; and, instead of diminishing, will ultimately enhance, the value of their propriatory rights. Our interposition, where it is necessary, seems also to be clearly consistent with the practice of the Mogul Government, under which it appeared to be a general maxim that the immediate cultivator of the soil, duly paying his rent, should not be dispossessed of the land he occupied. *This necessarily supposes that there were some measures and limits by which the rent could be defined, and that it was not left to the arbitrary determination of the Zemindar ; for otherwise, such a rule would be nugatory, and, in point of fact, the original amount seems to have been annually ascertained, and fixed by the act of the sovereign.*" Harrington's Analysis, vol. II.. p. 189.

This anxiety of the Court of Directors for the protection of the interests of the Ryots is again repeated in the concluding part of their final despatch about the Permanent Settlement :—

" In order to leave no room for our intentions being at any time misunderstood, we direct you to be accurate in the terms in which our determination is announced, and you will be careful to have it translated and circulated in the same manner as you have directed with respect to your own code of regulations. Having left it to your discretion to decide on the measures to be adopted relative to the waste lands, you will of course determine whether any reserve should be made in this declaration with a view to that object ; and you will, in a particular manner, be cautious so to express yourselves as to leave no ambiguity as to our right to *interfere, from time to time, as it may be necessary, for the protection of the Ryots, and subordinate Landholders ; it being our intention, in the whole of this measure, effectually to limit our own demands, but not to depart from our inherent right, as sovereigns, of being the guardians and protectors of every class of persons living under our Government.*" Harrington's Analysis, pp. 191-2.

On receipt of these instructions from the Court of Directors, a proclamation was issued by the Governor General in Council, on the 2nd March 1793, which was subsequently enacted as Regulation I. of 1793. The Ryot's interests were, in accordance with the spirit of the above instructions from the Court of Directors, guarded very carefully.

It was provided for in article VI., in the following manner:— " To discharge the revenues at the stipulated periods without delay or evasion, and to conduct themselves with *good faith and moderation* towards their dependent Talookdars and Ryots, are duties at all times indispensably required from the proprietors of land, and a distinct observance of those duties is now more than ever incumbent upon them, in return for the benefits which they will themselves derive from the orders now passed. The Governor General in Council, therefore,

expects that the proprietors of land will not only act in this manner themselves towards their dependent Talookdars and Ryots, but also enjoin the strictest adherence to the same principles on the persons whom they may appoint to collect the rents from them."

But, in case the Zemindars failed in their duties, and were *immoderate* in their demands on the Ryots, was the Government powerless to apply any remedy to the evils arising from the such conduct on the part of the Zemindars? To prevent any misconstruction on the subject, the following declaration was made in article VII. :—

"It being the duty of the ruling power to protect all classes of people, and more particularly those who, from their situation, are most helpless, the Governor General in Council will, whenever he may deem it proper, enact such regulations as he may think necessary for the *protection* and *welfare* of the dependent Talookdars, Ryots, and other cultivators of the soil; and no Zemindar, independent Talookdar, or other actual proprietor of land, shall be entitled on this account to make any objection to the discharge of the fixed assessment which they have respectively agreed to pay."

It cannot be that the object of the above article was to reserve power for Government to protect Ryots against the commission of criminal offences towards them by Zemindars with impunity, for the sovereign ruler of a country has this power inherent in him by virtue of his sovereignty, and he would not be a sovereign who had not this power. Nor was this article intended for giving power to Government to put a stop to *awbabs* and cesses; for Section 54 of Reg. VIII. of the same year, and passed on the same day as Regulation I., provides for the consolidation of the then existing *abwabs*, &c., with the *asul* rent, in one specific sum, and Section 55 declares that "no actual proprietor of land, or dependent Talookdar, or farmer of land, of whatever description, shall impose any new *abwab*, or *mhatoot*

upon the Ryots, under any pretence whatever. Every exaction of this nature shall be punished by a penalty equal to three times the amount imposed, and if, at any future period, it be discovered that new *abwab*, or *mhatoot*, have been imposed, the person imposing the same shall be liable to this penalty for the entire period of such impositions."

By Clause I of Section 57 of the same Regulation, "The rents to be paid by the Ryots, by whatever *rule* or *custom* they may be regulated, shall be specifically stated in the pottah, which, in very possible case, shall contain the exact sum to be paid by them."

The Zemindar was thus entitled to receive rents from the Ryot according to *established rule*, or *custom*. Now, it is to be greatly deplored that this established rule, or custom, was not carefully inquired into and recorded for future guidance.

In ancient times "the King's share of the produce of the soil was one-twelfth, one-eighth, or one-sixth, according to the soil and the labour necessary to cultivate it. This also may be raised, in cases of emergency, even as far as one-fourth. The rest belonged to the cultivator." Elphinstone's History of India, Vol. I., Chap. II., p. 41. The same eminent historian gives the rate assessed by Raja Torun Mull, under Emperor Akbar, as one-third of the gross produce; but it would appear, from the Judgment of Justice Trevor in the great rent case of Thakooranee Dashee (p. 211 Part I Full Bench Rulings) that the Sovereign's share was from one-half to one-eighth of the gross produce, according to circumstances, and the Zemindars, with whom the settlement generally was made, receiving in Bengal a portion of the land or its produce for their use and subsistence under the name of *nan kar*, which did not in the aggregate exceed one per cent. of the revenues collected by them. This share of the Sovereign was in after times augmented by *abwabs*, &c., so that before the Permanent Settlement took place the condition of the Ryot was extremely miserable, and one of the objects of that Settlement was "to fix a moderate assessment

upon the estates of the several Landholders, such as the latter might pay without having a plea for harassing their tenants." (Harrington, Vol. II., p. 174.) With this view "detailed accounts of the assessment and actual collections in past years were also procured, with every other document which appeared material for determining a standard of revenue for future years, such as the orders of the Court of Directors prescribed, and the Landlords might be able to pay *without distressing their tenants*, &c." (Harrington, Vol. II., p. 175.) That the Landlords might not harass their Ryots, there was, besides the Regulations already quoted, a stipulation in their Kabulyot by which they were bound "to show implicit obedience to all Regulations which have been, or may be, prescribed by Government concerning the rents of the Ryots, and the collection from Under-tenants and agents of every description, as well as from all other persons whatever; the fullest confidence being entertained that all such Regulations will be consonant to equity, and for the general benefit of the community" (Harrington, Vol. II., p. 255). In the absence, therefore, of any established rule, or custom, for the adjustment of rent between the Landlord and the Tenant, Government is fully empowered, by the abovementioned Regulations and stipulation, to frame such laws regarding it as would be "fair and equitable", and would be for the "general benefit of the community." Hitherto, it was left to the law courts to determine what was "fair and equitable", but by this the Zemindar was the loser. Under the rule laid down by the High Court "the old rent must bear to the new rent the same proportion as the former value of the produce of the soil bears to its present value." For the satisfactory solution of this proportion, it is not only sufficient to know what the old rent was, but also what was the value of the produce when this old rent was fixed. Now, this it is impossible to ascertain, as the old rents date from time immemorial, and there are no data about the old produce.

A simpler and a more practical rule is, therefore, required. The present writer is convinced that the rule proposed by him

is the best that could, under the circumstances of the case, be adopted with advantage to both Landlords and Tenants.

If Government does not lay down a proportion, it must either leave things as they are, whereby the Zemindar would continue to labour under his present disadvantages, or repeal the present law, and leave rents to be adjusted by competition, as in the cottier system prevalent in Ireland, about which Mill speaks in the following terms:— "In such a condition (where the Tenant is completely at the mercy of his Landlord), what can a Tenant gain by any amount of industry or prudence, and what lose by any recklessness? If the Landlord at any time extend his full legal rights, the cottier would not be able even to live. If, by extra exertion, he doubled the produce of his bit of land, or if he prudently abstained from producing mouths to eat it up, his only gain would be to have more left to pay to his Landlord; while, if he had twenty children, they would still be fed first, and the Landlord could only take what was left. Almost alone among mankind, the Irish cottier is in this condition, that he can scarcely be either better, or worse, off by any act of his own. If he were industrious or prudent, nobody but his Landlord would gain; if he is lazy or intemperate, it is at his Landlord's expense. A situation more devoid of motives to either labour, or self-command, imagination itself cannot conceive. The inducements of free human beings are taken away, and those of a slave not substituted. He has nothing to hope, and nothing to fear, except being dispossessed of his holding, and against this he protects himself by the *ultima ratio* of a defensive civil war. Rockism and Whiteboyism are the determination of a people who have nothing that can be called theirs but a daily meal of the lowest description of food, not to submit to being deprived of that for other people's convenience." Political Economy, vol I., p. 390.

Surely, Government would not take such a retrograde step as would reduce the Bengal Ryot to the condition of the Irish

cottier, in order to satisfy the Zemindar, who had no existence in the time of Menu—who was a mere rent collector, getting no more than one per cent. on his collections, in the time of the Mahomedans, and to whom the present Government allowed only one-eleventh of the net collections, at the time of the Permanent Settlement. Since that Settlement, the Zemindar's position has greatly improved, and, instead of $\frac{1}{11}$, he now enjoys $\frac{10}{11}$ and sometimes even more. The Ryot's condition, it must be admitted, has also improved, but not at the expense of the Zemindar. Both the Zemindar and the Ryot have prospered, because the demand of the State was confined to very small fraction of the produce of the soil. It is, therefore, " fair and equitable" that both should continue to share the advantages of the Permanent Settlement, and that to prevent them waging a "civil war", like the Irish Landlord and Tenant, Government should, by virtue of the power it possesses, under the Regulations cited above, fix the rent which the Ryot should pay the Zemindar. This would be in accordance with the principles of political economy. "Rent", says Mill, " paid by a capitalist who farms for profit, and not for bread, may safely be abandoned to competition; rent paid by labourers cannot, unless the labourers were in a state of civilization and improvement, which labourers have nowhere yet reached, and cannot easily reach under such a tenure. *Peasant rents ought never to be arbitrary, never at the discretion of the Landlord: either by custom or law, it is imperatively necessary that they should be fixed*; and, where no mutually advantageous custom has established itself, reason and experience recommend that *they should be fixed by authority*".) Vol I., p. 401.

According to Mill, then, where no mutually advantageous custom has established itself, the rents should be fixed by authority; and, as there is no such established custom in this country, the rents here should, therefore, be fixed by authority. From, a consideration of the custom that prevailed in Menu's time and the pressure of population that is already being felt, the present writer has been of opinion that the Zemindar should

not have more than one-sixth, or less than one-eighth, of the gross produce—this will more than double his present profits from land—and that he should not be allowed the entire benefit of the increase all at once.

It is urged in favor of Zemindars that, in former times, occupancy Ryots paid higher rents than non-occupancy Ryots. The following extract from Harrington goes to support this theory:—

"The most general distinction, however, with respect to their (Ryots') tenures is that of *Khodcasht* and *Pyecasht*. The name of *Khodcasht* is given to those Ryots who are inhabitants of the village to which the lands that they cultivate belong. Their right of possession, whether it arises from an actual property in the soil, or from a length of occupancy, is considered as stronger than that of other Ryots, and they generally pay the highest rent for the lands which they hold. The *Pyecasht*, on the contrary, rent land belonging to a village in which they do not reside. They are considered as tenants at will, and having only a temporary and accidental interest in the soil which they cultivate, will not submit to the payment of so high a rent as the preceding class of Ryots; and, when oppressed, easily abandon lands to which they have no attachment. The *khodcasht* Ryots partake of the rights of hereditary landholders. The *pyecasht* are more of the nature of annual or transitory tenants". Vol. II., p. 64.

Those who make this a ground for higher rents from occupancy Ryots than from non-occupancy Ryots forget that, at the time this state of things existed, the population was thin, and there were "extensive tracts of waste lands" to cultivate in each district. The Zemindar's demand for Ryots was greater than the Ryots' demand for land. Competition was then, not for lands, but for Ryots; and the consequence was that the rents remained under a check, and could not rise high, even with reference to *khod-*

casht Ryots. Moreover, a Ryot could then cultivate any amount of land he wished, and it has been seen, in the case of the Soonderbund Ryots, that when a Ryot's holding is large, he bears easily a heavier rent, but that, when the holding is small, he bears heavily even a small rent. At present, small holdings are the rule, and large holdings the exceptions. If, therefore, any change is necessary in the present law regarding occupancy Ryots and non-occupancy Ryots, it will not lie in fixing a higher rent for the former than for the latter, but in laying down one "fair and equitable" rate for both, agreeably to the principles of political economy.

The Minute of His Honor refers only to the question of adjustment of rents, and this has been discussed above. There is, however, a second subject connected with rent, which also calls for special legislation; namely, the realization of rents. The present unsatisfactory state of things is as much owing to delay and difficulty in the realization of rents as to the uncertainty which surrounds the law of enhancement, or adjustment, of rents. It is, therefore, as much necessary to adopt measures for the speedy disposal of suits for arrears of rents as for the adjustment of rents.

Government, in realizing its revenue, shows no indulgence to defaulting Zemindars, but at once proceeds to sell the estate for which the arrear remains due; and it looks like an anomaly that no adequate means exist for enabling Zemindars to make speedy realization of rents from their Ryots. The former laws (Regulation VII. of 1799 and Regulation V. of 1812) were very much in favor of Zemindars. Under them, Zemindars could not only *oust* the defaulting Ryot from his holding, *without aid* of Courts of Justice, but could, with the aid of such Courts, cause the *person* of the Ryot to *be arrested* and kept in *custody*, until the arrear was paid. Many provisions were made to protect Ryots from the oppression of their Zemindars, but they proved ineffectual. Act X. of 1859 was a great improve-

ment over the former laws, and, though the Zemindar's powers were curtailed, he found he was not much worse than before in realizing rents through the Revenue Courts. But, before that Act had had a fair trial, Act VIII. of 1869 was passed, whereby cases were transferred from the Revenue to the Civil Courts. The delays and expenses of litigation under the new law have greatly increased, and *often*, when Ryots *combine*, they bring ruin upon their Zemindars, by simply offering passive resistance and withholding rents. While litigation goes through the various Original and Appellate Courts, the Zemindar has often, when he has no other source of income than land, to borrow money, at high rates of interest, to support his family and himself, to pay up Government revenue, and, lastly, to defray the heavy expenses of carrying on the Civil suits with his Ryots.

It is a fact known, perhaps, to all, that rent suits form a large proportion of the work of the Civil Courts. How large that proportion is, will appear from the following figures, taken from the Administration Reports :—

Year.	Number of rent suits.	No. of all other kinds of suits.
1871-72	91,878	 1,84,401
1872-73	1,01,077	 1,97,308
1873-74	1,11,411	 2,08,754
1874-75	1,07,697	 1,90,524
Total 4 years ...	4,12,063	7,80,987
Average each year ...	1,03,016	1,95,247

Rent suits thus form *more* than a *half* of all other kinds of suits, or, in other words, *more* than a *third* of the *total number* of rent and other civil suits. This will, no doubt, be admitted to be a very large proportion. As two important classes of society, namely, Landlords and Tenants, are interested in the results of such cases, special measures should be adopted for their speedy disposal.

Government enjoys special advantages as regards the realization of rents. Three successive Acts (VII. of 1868, II. of 1871, and I. of 1875) empower the Collector of the District to make summary realization of revenue and rents from farmers, under-tenants, and Ryots in khash and other mehals, under the direct management of the Collector. Under these laws, when any revenue, or rent, remains unpaid, the Collector of the District makes, under his hand, a certificate of the amount of such arrears remaining unpaid. That certificate has the force of a Civil Court decree, in which Government is deemed the plaintiff, and the person named as debtor the defendant. The Collector then proceeds to serve the defendant with a notice about the filing of that certificate in his office, and of his forthwith proceeding to levy the amount according to law. From the date of service of such notice, the certificate binds the immoveable property of the defendant, situate within the Jurisdiction of the Collector, as if a prohibitory order had been issued, and an attachment been executed against such property under Act VIII. of 1859.

If the defendant, within one month of the service of the notice, prefers any objection, his claim is heard, and determined. If then the certificate is not set aside, the Collector proceeds to make realization by sale of property, for which he exercises all the powers given by Act VIII. of of 1859 to Civil Courts for execution of decrees.

A procedure similar to the above could be laid down for Zemindars, if their papers had been regularly kept, and were as reliable as those of the Collector. Some use, however, may be made of the Road Cess papers filed by Zemindars paying revenue above Rs. 100. Those who pay less revenue, and have not filed papers, may be required to file them during the 5 years which intervene between two Road Cess valuations. On an *application* being made to the Collector for arrears of rent, he may be empowered to proceed for realization in the *summary manner above described*, if he finds that rents are *primâ facie* due to the Landlord. In case the Col-

lector is not satisfied that rents are *primâ facie* due, he will refuse action, and refer the applicant to the Civil Court. But, if this sort of double procedure, which is similar to that laid down in Regulation VIII. of 1831, repealed by Act X. of 1859, is not approved, the Courts should be vested with *non-appellable* powers in *all cases for arrears of rent up to Rs.* 100. The *question of rate being finally settled by Government in the manner indicated above,* suits for arrears of rents will only involve questions of *payment,* and there would not be much harm done to any party by rendering such cases non-appellable. *Every* Judicial or Revenue officer should *not* be allowed to try rent suits, but only tried officers should be invested with such powers. Under Act X., all cases for *arrears* of rent not exceeding Rs. 100, decided by the Collector of the District, were *not appellable,* and the introduction of a *non-appellable* clause, as is recommended here, would cause *no material change* in the law, but would simply extend to other *tried officers powers* which had been *hitherto* given to *the Collector of the District.* A *procedure* similar to that of *Small Cause Courts* is very much wanted for the speedy disposal of suits for arrears of rent, in which no question of right or title is involved.

The writer has heard Zemindars urge that a Ryot *failing* to pay rent to his Landlord *within* a *certain* specified time of the *kist,* or instalment, or not depositing the same under the law, should *lose* his *right of occupancy;* that a decree for arrears of rent should carry with it the force of an order of ejectment. This would be a very unfair and one-sided law. A Ryot is in arrears, either because there is a dispute between him and the Landlord about the amount demanded by the latter, or because he is unable, by his poverty, to make punctual payments. In the first case, where there is a want of good understanding, it will be the interest of the Landlord to make use of all kinds of contrivances to prove the Ryot to be in arrears, and to take away his right of occupancy. In the second case, it would be in the highest degree inhuman to turn away the Ryot from his paternal

holding, simply because, through poverty, he failed to be punctual in paying his Landlord. While thus deprecating this unjust proposal of the Zemindar, the present writer is of opinion that the power which is now generally given to Ryots, under High Court Rulings, to transfer the occupancy right by sale, is very much to the disadvantage of Zemindars. It is reasonable and fair that, so long as a Ryot continues to cultivate his own lands, he should not be disturbed in his possesion, but, when he chooses to give up cultivating himself, he should not be allowed to sell his right to another. By so selling, he often injures the value of the estate. The High Court Ruling is based on custom; but, as it is difficult to know in a satisfactory manner what the custom is, and, as, where such a custom exists, it is found to be of recent growth, it should be legally disallowed.

The present writer has, in these few pages, attempted to discuss the question that is now engaging the attention of Government. He was induced to take up the subject from a sense of duty towards the dumb millions, the Ryots, who, he feared, were not fairly represented. In performing this self-imposed task, it has been his aim to calmly and fairly represent the case as regards both Landlords and Tenants; but how far he has succeeded, the reader will judge.

LECTURES

AT

The Wilderness, Mazagon.

BY

GEORGE ATKINSON, SERJEANT-AT-LAW,
FELLOW OF THE UNIVERSITY OF BOMBAY: GRADUATE OF THE UNIVERSITY OF OXFORD, &c. &c. &c.

"*Knowledge is power.*"

Bombay:
PRINTED AT THE
EDUCATION SOCIETY'S PRESS, BYCULLA.

1879.

From the Author.

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PREFACE.

A numerously signed memorial having been presented to me, I have assented to the publication of the following Lectures : on one condition (amongst others) that the net profit of sale (if any) should go to the *Sustentation Fund* of the Congregation before which they were delivered.

"*Ritualism*" and "*The Church*" are of *local* interest; the rest, "*On the Creation of the World as revealed in the Book of Genesis,*" are of universal application. All I have to say to the reader is that none of them were ever intended for publication beyond the walls of the room in which they were delivered. I do not say this to deprecate criticism (for that I have no right to do), but simply to prevail upon him to ask himself, as he goes along, what, as regards matter or style, he himself would have done, if he had stood in my shoes : in other words, to do as he would be done by.

The * * * indicate that superfluous matter, such as the *résumé* of a former lecture, and the like, has been struck out, to save expense.

A few explanatory notes have been added at the end.

G. A.

Bombay, 3rd January 1879.

LECTURE I.

RITUALISM.

The subject prescribed by "*The Committee of Elders*" for the present course of lectures is as follows:—

The Creation of the World as revealed in the Book of Genesis.

Inasmuch as it involves a review, more or less, of the creeds of the religious denominations of this vast and varied empire,—especially of the Hindoos, the Mahomedans, the Parsees, and the Buddhists, as well as of the Christians and Jews,—I feel myself under the embarrassment of bespeaking your kind indulgence for a while. The fact is that I gave my consent without thinking: as we are but too apt to do in life, from the mere force of habit. On sitting down to the task, I found that, copious as my notes are, the works to be reconsulted, and the additional extracts to be made therefrom, (ranging as they do from the *Vedic Hymns** to *The Reign of Law*†—in other words, ranging over a literature of three thousand years or more), were incalculably more than what was dreamt of in my philosophy. Grant me, then, I pray you, this indulgence, and I will spare no pains to show my gratitude.

In the mean while, to avoid disappointment, I propose to lecture on two other subjects: which, so far as I am concerned, require no further time for preparation—subjects which, if not so generally interesting, either in a spiritual or in a scientific sense, have some advantage on the score of popularity or *local* interest. The two subjects are *Ritualism* and *The Church*. The former speaks for itself here in Mazagon: the latter involves, as a moment's consideration will tell you, not only our

* See Max Müller's *Ancient Sanskrit Literature*, p. 564.

† By the Duke of Argyle.

own condition as a spiritual congregation (being in a private house and without a minister upon whose head the hands of a bishop have ever been imposed) but involves, more or less, the merits of *The Protestant Reformation* itself—"the second grand era in the commonwealth of Christendom."* First, then, of RITUALISM. Coleridge, in his *Aids to Reflection*, has this striking reflection—"We not unfrequently," says he, "get more knowledge by tracing a word to its source than by reading the history of a whole campaign." This remark is certainly true of experimental sciences in general; and, if it be partially so only of others, there will be no very great harm in our applying it, under the circumstances, to the word *Ritualism*; for, although it may not be, in a scientific sense, experimental,—still less, if possible, scientific, in the sense of involving much knowledge, —it is in reality as crafty and as Jesuitical an experiment upon Protestantism as Church History, out of its long series of pious follies, has had to record since the martyrdom of King Charles and the dethronement of King James II.: events to which the Ritualism of such men as Williams, Sheldon, Wren, Curles, Piers, Owen, Mainwaring, and other ecclesiastics so materially contributed. With Coleridge as my dragoman, I sallied forth on an exploring expedition into the Sahara of philology. I was full of promise. But man proposes, God disposes! It was a forlorn hope. Like the slimy Nile itself, it seems to be many-headed. As its main *keesh* or source has baffled many a Bruce far more experienced and more adventurous than myself, I must be content with simply lamenting my failure, and with showing you (all indeed that I have to show) the smoother pebble and the prettier shell, that I have had the luck to pick up on my way.

In a standard book, however, I find it thus written :—

"RITE (*ritus*, L.). An order to be observed on solemn occasions; a church ceremony."

"RITUAL (*ritual*, F., *rituale*, L.). A book containing the particular rites and ceremonies of a church."

"RITUALIST. A stickler for ceremonies in religious worship."

* D'Aubigné; Gibbon, chap. 54; Macaulay's *History*.

Hence it may be said, methinks, that Ritualism is a word of *heathen* origin, and if Bailey's definition be any way near the mark, (and Bailey's Dictionary is one of the best, if not *the* best in our language,) it may be, not inaptly, defined thus:— "*Ritualism is a heathen practice of stickling for ceremonies in religious worship.*" But as we live in the very thick of it, let us see, with our own eyes, whether it does really and truly partake of the hard acidulated tincture of the spring here ascribed to it.

The Ritualists style themselves "*The Pioneers of the Catholic Church.*" By this remarkably modest title they mean (unless, indeed, it be a Ritualistic maxim that speech was given to man to conceal his thoughts!) either that their mission is to clear the way (the proper work of pioneers) for a spick-and-span New Jerusalem, or to prepare the way for a reunion with the Church of Rome. Seeing that they have hitherto religiously kept to themselves the very name of the new church (if it is to be a new one); and seeing that they have *ex cathedrâ*, of late, hereabouts in Western India, avowed their adoption of the doctrines of the Church of Rome, especially as regards the Sacraments, the Real Presence, the Confessional, and the like, the fair inference is that they mean others, outside of their compound, to look upon them as the "Pioneers of the [Roman] Catholic Church." But whether their aim be a new church, or a reunion with the Church of Rome, they are still, *ex concessis*, the pioneers of a *new* system: and of a new system diametrically opposed to that of the Church of England, as established by law at the Reformation. One or other it must be. There is no *tertium quid* or middle course that I can see.*

"Pioneers of the Catholic Church"! They might, methinks, with as much propriety, have styled themselves "the goodly fellowship of the Prophets," or even "the noble army of Martyrs!" or, at least, "Holy Evangelists;" seeing that

* The existence of the *Order of Corporate Reunion* was, when this lecture was delivered, unknown to me. See *Times of India*, 12th November 1878.

'evangelize,' 'evangelization,' 'evangelical,' and the like, are stereotyped terms constantly on the tips of their tongues: descriptive of their preëminent piety, and of the peculiar nature of their mission to us, poor benighted heathens, at home and abroad. Good Heavens! what infatuation! what Phariseeism! Yea, throughout the whole range of the sixty thousand words that our language is said to consist of, I know not one half so appropriate as the word PHARISEEISM. Is not the Modern-Man-Ritualist the counterpart of the Pharisee of old? Judge for yourselves; for you have the inspired writings for a description of the one, and the reliable testimony of your own senses for a knowledge of the other. The Pharisee of old compassed sea and land to make one proselyte: the Modern-Man-Ritualist does so too. The Pharisee of old prided himself in not being like other men: does not the Modern-Man-Ritualist do so too? The religion of the Pharisee of old consisted in fasting and payment of tithes, to the neglect of the weightier matters of the law—judgment, mercy, and truth: does not the religion of the Modern-Man-Ritualist consist in straining at gnats and swallowing camels?

> "*As if hypocrisie and nonsense*
> *Had got th' advowson of his conscience,*"

and as if

> "Religion was intended
> For nothing else but to be mended."*

There is, in general, something about a desperate movement of this sort that redeems, in some degree, its eccentricities—a startling novelty of design, or a reckless daring in its accomplishment. The chiefs or principal actors in it are often men who

> "*From vulgar bounds with brave disorder part*"—

men with qualities which often lend a charm to the errors of high and ardent natures; but, in this *Agitation Ritualistic*, we look in vain, at home or abroad, for a trace, in any of its ringleaders, of any such redeeming quality. We find nothing beyond a vulgar mediocrity of intellect, which in itself excites neither

* Hudibras.

esteem nor fear. Indeed, the most active leaders of the schism are, with two or three exceptions, intellectually below the average standard of men of mark—that is to say, of men to whom a more exalted spirit has been communicated to enlarge the landmarks of knowledge, or to improve the condition of their fellow-men. And their scheme is at best but a sickly burlesque of the Eleusinian mysteries of the Church of Rome, whose creed they have embraced, but whose portals they have not the honesty to enter. Notwithstanding, the movement has its attendant evils: and, as things are, history might possibly have repeated itself, had not the consummate wisdom of our forefathers raised up against Papal aggression the most formidable barriers by the Bill of Rights and the Act of Settlement, (ramparts under watch and ward of a Commander-in-Chief endowed with all the heroism of a Tudor and all the virtue of a Stuart, without their weaknesses and vices: and manned by the descendants of a race of men led on of old by the intrepid Luther,) and so rescued the Saxon race from the merciless bondage of "an alien domination: and supplied the imitation of paganism by a pure and spiritual worship of prayer and thanksgiving—the most worthy of man, and the least unworthy of the Deity—when each Christian was taught to acknowledge no law but the Scriptures, no interpretation but his own conscience." *

But let us prune the wing and soar above the tangling mass of pious follies, to where the nasal psalmody of the religious hypocrite never ascends to break the general harmony: where I purpose to amuse you with a tale of chivalry. Tale of chivalry? Yea, my beloved brethren, a tale of chivalry. Why not? If Milton, in his conflict with Salmasius and Smectymnus, the representatives of tyranny and superstition†; if Sam Butler, the prince of satirists, in his conflict with the "Praise-God-Barebone" tom-fooleries of his day; or, if Dean Swift, mounted on his high-mettled

* See Hallam's *Const. Hist.*, ch. viii.; Macaulay's *Essay on Milton*; and Milton's *Areopagitica*, Bohn's ed., vol. II., p. 87, n. 1.

† See Milton's *Apology for Smectymnus*.

charger Brobdignag, to win his spurs in a chivalrous encounter with the Big-Endian controversialists of the 18th century—if they, I say, did not disdain the aid of "those lofty fables and romances which recount in solemn cantos the deeds of knighthood founded by our valorous kings, and hence had in renown over all Christendom," why should one like me, requiring aid on every hand, not be allowed, when in conflict with the enemies of civil and religious liberty (as these "Pioneers" are) to implore the belted knight to lend me a helping hand? In other words, why should not I, as well as they, be allowed to mount my Rosinante and sally forth, accompanied by my squire outside of his favourite Dapple, to redress the grievances, temporal as well as spiritual, of which you have so often and so loudly complained in vain to the powers that be? Pardon me—when I say *you*, I should say of which *we* have so often complained in vain.

I propose henceforth to regard THE MODERN-MAN-RITUALIST as THE CRUSADER, or as THE SPIRITUAL KNIGHT-ERRANT of the 19th century. Seeing that the legends of chivalry are not within the reach of everybody, it may be that many here present would like to know more about it. Know all men, then, by these presents, as lawyers say, that towards the end of the 16th and at the beginning of the 17th century of the Christian era there lived one Miguel de Cervantes. He was a Spaniard, and lived and died in Spain: and probably in prison, Spain being the land of the Inquisition. The aforesaid Cervantes wrote a book entitled *Don Quixote*, a work more universally admired throughout Christendom than any other work ever published (save and except always our Holy Scriptures, which we must at least presume to be read by every Protestant that can read). As an able critic said of it, "The very children handled it, boys read it, men understood it, the old applauded." And the notorious Duke of Alva paid it, unintentionally, no mean compliment when he said, "Cervantes by destroying the spirit of chivalry has given a death-blow to the best energies of Spain."*

* See M. Sismondi.

Now, Don Quixote, the hero of the renowned story, is represented by the author as a man of good understanding and fair estate that had worked himself up to such a pitch of frenzy by poring over books of chivalry, as to deem it a positive duty to get himself initiated into the brotherhood or order of knight-errant: and in that capacity to travel through the country, from the Pillars of Hercules to the Pyrenees, in arms, redressing grievances, and courting every opportunity of exposing himself to such dangers as would, in the end, entitle him to the esteem of all mankind, if not to a crown of glory. What hair-breadth 'scapes, what moving accidents by flood and field, he met with, in his perilous pursuit of his object,—in other words, what windmills he did not charge, what church-steeples he did not spur his Rosinante at,—none but a Cervantes would, if he were in his sober senses, attempt to narrate. Suffice it therefore for me to say that the books that impaired, or rather bewildered, the judgment of the Knight of the Rueful Countenance (as he was styled by the brotherhood) so far as to make him think that he was sent into this world to outrival the most famous champions in the annals of chivalry, not excepting Palmerin of England, Amadis of Gaul, or even Orlando Furioso, consisted of legendary tales that had little foundation in nature or in fact, or were, as the Don's good niece familiarly described them, "*nothing but lying inventions.*"

Now, the Modern-Man-Ritualist is the Crusader or the Spiritual Knight-Errant of this our age. I use the adjective *spiritual* advisedly, and in preference to the more knightly word *saint*: because the Crusaders of old, though enlisted under the banner of the Cross, were, for the most part, *laymen*; whereas all, or nearly so, who, in this our pioneering age, have buckled on the armour of self-righteousness and have sallied forth to redress the grievances of the Catholic Church, are *clerks*, or of the order ecclesiastic—persons who have for the most part publicly avowed, on bended knees, that they were inwardly moved by the Holy Spirit to become her true and faithful ministers. Whether the Knight of the Rueful

Countenance made any confession of any inward call of any sort, when Boniface gave him the accolade and admitted him *pro formâ* into the mysteries of the brotherhood, I do not remember. Inasmuch as the Don strictly followed, on all occasions, *the rubric* of chivalry, he did in all probability make confession : and, as a consequence, got from Boniface *absolution*—that is to say, absolution from all family ties, and from all other obligations of common sense. Therefore we may assume it as a fact that he did confess and get absolution, and that his investiture was strictly *en règle*. Again, the knight of La Mancha's crazy crusade against church steeples and windmills was, as I have said, the result of too close an application to books crammed with the legends of chivalry, or with what the Don's shrewd niece called "*lying inventions*." The eccentric condition of the Modern-Man-Ritualist or modern Spiritual Knight-errant is the result of too close an application to books crammed full of legends about crucifixes, and crosses, and candlesticks, and purgatory, and confession, and adoration of saints, and the miraculous properties of the relics of saints, and the like. The Don, as he informs us, picked up his books, wherever he could, on the musty old book-stalls in Spain, the land of the Inquisition. The Modern-Man-Ritualist seems (I do not vouch for the fact) —seems, I say—to have got his from the godowns of the Vatican in Rome—the land, to use Bishop Heber's description of the sacred city of the Hindoos—Benares) " the land of bulls and beggars." Heaven forbid that I should be thought, by the use of such words, to speak disrespectfully of the Church of Rome. She is our mother-church, and we are her offspring—rebellious in her sight, no doubt, but we are her offspring still. By our separation from her (a separation in which both were much to blame) she has not lost her claim to our esteem. She has a prescriptive title to that, if to nothing else. But to *this* New Church of the Modern-Man-Ritualist no such right, in any way, belongs. It is in itself a thing of yesterday. Besides, it is at best a mere *ignis fatuus* engendered in the Pontine Marsh, or it may be in Cowley Marsh (a place equally pestilen-

tial and fatal to the life of civil and religious liberty), to lead astray the unwary from the highway that leads direct to the land of Beulah, into the Slough of Superstition.

* * * * * * *

There is another remarkable feature in this affair: it is this. Each and every knight-errant (save and except Don Galeor, kinsman of Amadis de Gaul) had, in the palmy days of chivalry, his LADY-LOVE, the irresistible influence of whose syren charms spurred him on to deeds of desperate daring. Don Quixote himself had his *Dulcinea del Toboso,* Orlando had his *Angelica,* and Amadis de Gaul his *Oriana.* So, likewise, has the ghostly knight-errant of the 19th century his lady-love: to wit, THE SCARLET LADY OF BABYLON, under the influence of whose meretricious charms he is prepared to sally forth, and astonish the world with the wonders of his newborn zeal. Bowing to her august presence, there are no church steeples (no *Protestant* church steeples) he would not charge, as a labour of love; no process of law he would not, if he could, set at defiance; no property he would not lay hands upon; no family secrets he would not pry into; no subtleties he would not invent to justify his apostasy from, and to retain the temporalities of, a church whose creed he has renounced: all—all to please his lady-love, who has hitherto, to all outward appearance, affected to disdain and reject his addresses. I say advisedly *affected,* for in Ovid's *Art of Love* we read—

Ira amantium amoris integratio est.

A word to the wise is enough. Some one of my audience, more inquisitive than the rest, may feel disposed to say to me, "Mr. Serjeant, your *sbozzo* is not complete without a smattering, at least, of the raw material—that is to say, without some notice of the Rosinante, on the outside whereof the modern ghostly knight-errant sallies forth to redress the wrongs of mankind. My answer is—the modern spiritual Don Quixote does not ride. He walks: yet withal he is not without his Rosinante. He has a horse, and that horse is, as an eloquent Irishman once on a public occasion expressed it, "an horse

richly caparisoned in all the habiliments of honour and patriotism." The ritualistic hobby-horse, you must know,—for I have studied his pedigree with great care, is—in common with the Don's Rosinante and Sancho's Dapple, the produce of a sire once stalled in the stables of the Spanish Inquisition: in other words, is of the purest Spanish blood *ex parte paternâ*, and, as such, never fails to fetch a high price in the hobby-horse market. *Note*, the pedigree *ex parte maternâ*, or of his dam, is a mystery. I have my suspicions, but I do not like, on such momentous matters, to deal in conjecture.

Before I finish this picture, I must, in justice to both parties, bring to your notice a feature in it which has perplexed me very much, and it may be that some of you may consider it fatal to my views. Be it so. I must in fairness divulge my doubt to you. It is this. Gibbon in his description of the *first* crusade for the deliverance of the Holy Land from the "miscreant Turk," which took place during the pontificate of Urban II., A.D. 1096, informs us—that these "intrepid heroes of the Cross who with Gothic fury now grasped the sword" consisted for the most part of the outlaws and malefactors of every caste and country in Europe, from the Pyrenees to the far West, and that they were enlisted under a solemn pledge of *plenary indulgence*. Moreover he tells us (mind, I use Gibbon's own words) "that the genuine leaders were a *goose* and a *goat*, who were carried the first, and to whom these worthy Christians ascribed an infusion of the Divine Spirit." Now, assuming these facts and circumstances to be true,—and the authorities he cites leave no doubt thereof, —that *wild-goose* chase (whose object is apparently not quite lost sight of in Europe at this day under pledge of *plenary indulgence*), adds corroboration strong, as proof of Holy Writ, of the accuracy of my observations upon the character, motives, and actions of both bodies; but as to the rest of the historian's narrative, namely, anent the refuse sweepings of jails and stews, anent the great leaders of the enterprise, that is to say, the goose and the goat, and the like, I myself am at a dead loss. As you have the inestimable privilege of the right of private judgment, as contradistinguished from Popery, which

insists that you have no more right to think at all than a goose, be pleased to judge for yourselves; and, so far as I am able to form an opinion, you will not have much difficulty, except as to the great respectability of the Ritualistical body, respecting which none but a goose can for a moment entertain the shadow of a shade of doubt.

But to return from this digression. The Knight of the Rueful Countenance, having been unhorsed and discomfited by *the Knight of the Moon* (not a bad name, by the bye, for such-like a *lunatic*), was brought home, or, as the original text has it, "returned into the bosom of his family," and, after lamenting the error of his ways, died in peace with all mankind.

I should inform you—for it is most important that I should be particular—that the Don's good niece, aided and abetted by the Don's housekeeper, had, on being forewarned of the Don's return into the bosom of his family, taken precautionary measures against a return of the Don's malady, by the summary process of throwing all his books of "lying inventions" out of the window into what we call the compound—intending thereby, amongst other things, to enrich other soils than minds of heavenly mould.

Let us in conclusion express a hope that *the ghostly Don Quixotes* of our own age may, after their frenzy has run its course and sleeps in blessing, return to their senses. May they be soon brought back to the bosom of that Church whose doctrines they have renounced, and after burning their books or throwing them to the dung-heap, making *confession* and doing *penance* for the sin of this unholy crusade, be reconciled to her, and die in peace with all mankind!

Should it be the will of Divine Providence that this *Agitation Ritualistic* endure, let each and every member of the *Church of England*, as established at the Reformation, regard it as a visitation upon it for some grave offence on her part, and as a means of purifying her of some foreign festering element, whose presence, if not got rid of, might be fatal to her very existence; that an all-wise, an almighty, all-merciful

Creator and Preserver of the universe has suffered the waters of our pool, like those of Bethesda, to be agitated, only to make them more healing to us afterwards. My dear friends,

> " 'Tis the sunset of life gives me mystical lore,
> And coming events cast their shadows before."

I was a member of the University of Oxford when Ritualism began life (for it is the progeny of Tractarianism), and, having watched the *bête noire* from its conception to its development, take upon myself to caution you,—one and all of you,—as you value civil and religious liberty, never to come within reach of its deadly embrace.

LECTURE II.

THE CHURCH

RITUALISM was the burden of our former lecture. The present differs from it as light from darkness, as regards the mode of treatment.

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The question propounded is, in form, as follows:—

Is the Church of England, or any visible Church on earth, a Divine institution?

In this is involved, as I said, the continuance of our Sabbath-day congregation in this building.

As I profess not to be wise above what is written, I propose to rely upon the words of Holy Writ, and upon the writings of divines and philosophers whose authority is beyond the reach of cavil. After that judge for yourselves. I say *judge for yourselves:* for it is our glorious privilege, as Protestants, to be our own judges in all things relating to eternal life. Permit me to digress a while in order to impress this great practical truth—THE RIGHT OF PRIVATE JUDGMENT—more indelibly upon you.

At the time of *the Protestant Reformation* the right of private judgment in such matters (which '*pukka*' Popery positively denies to laymen, and which the '*kuchcha*' Popery which is in the Church of England would deny us, if it could) was vindicated by the stalwart arm of MARTIN LUTHER. It was the result of his "substance ethereal,"* Herculean task, and immortal daring. May He that made choice of that man, before others, to be of highest concern and power in reforming

* Milton.

the Church: may He that raised up such men as Wickliffe, and Huss, and Luther, and Zuinglius, to set the Saxon race free from the heaviest chains that were ever forged to fetter and gall the human mind, pour into our hearts the love of truth, and give rest to our souls, by freeing them from all manner of doubt in this particular, as well as in every other matter affecting our eternal welfare!

Now, as far back as reliable history goes, we find a *Priesthood*—prophet, priest, or king: in other words, we find a select few—one or more, in general, of each community set apart from the main body for *spiritual* purposes. Before the Christian era the Jews, Egyptians, Assyrians, Medes and Persians, Greeks and Romans, and others, had their sacerdotal order. And as regards ourselves,—if we had not the Commentaries of Cæsar, the Annals of Tacitus, and the like, to instruct us,—Stonehenge, Lang-Meg, and other Druidical remains, scattered over our own land, would leave us little room to doubt about the state of Britain in that respect. For the most part the religions of antiquity devoted a holy race, a tribe or family, to the perpetual service of the gods. With the Egyptians, the Chaldæans, and the Indians there was an *hereditary* succession. It was so also with the Magi of the land of Canaan. I need scarcely also mention the Brahmin and the Mobed. It is one of the distinguishing characteristics of Christianity to disavow the principle of hereditary priesthood.

During the Christian era, in the Eastern hemisphere, the Hindu, Buddhist, Mahometan, Parsee, and other communities have had, and have, their priesthood. In the West, we have the Roman Catholic, the Greek, the Protestant, the Methodist, the Anabaptist, the Presbyterian, the Independent, and others, too numerous to mention.

In Gibbon's History it is said, "The Mahometan religion is destitute of priesthood." * But the author seems to have overlooked the fact that the Prophet and the Caliphs, his successors, united in their own persons the regal and sacerdotal characters.

* Ch. 50.

It is true, indeed, that the *Koran* itself does not recognize it as a separate institute. Mahomet's *pulpit* is still an object of admiration ; and who and what are the custodians of the *Caaba?* what was the *Koreish* tribe, *out of which he sprang,* but a sacerdotal tribe ?

From this generality, if not universality, of the institution, one is apt to conclude—that it has its foundation in the very nature and necessities of man. * * * Note, I pray you, that the abuse of the sacred office, of which history records innumerable instances, is one thing; the fact of its general and immemorial *existence,* as well as of its general *expediency,* is another. Indeed, such firm hold has the idea of an established priesthood on the minds of men, that divines and philosophers and poets, in ancient as well as in modern times, have embodied a *celestial hierarchy* as the ministers of Divine will and commandments : some of whom, as we Christians know from the book of Revelation, rest not day or night, crying, "Holy, holy, holy, Lord God Almighty, which was, and is, and is to come:"

> ....."With songs
> And choral symphonies, day without night,
> Circle His throne rejoicing."*

I have spoken of the order of Priesthood as an universal institution. I ought to qualify the remark by saying *almost* universal : not, indeed, out of any respect for Sir J. Lubbock's seeming unbelief in an universal or natural sense of religion in man, but because of a remarkable exception to it in the history of the Western world. The exception is to be found in the history of *The Reign of Terror* in France, in 1792. I will narrate it to you in the words of one who lived in the very midst of the awful scénes of that eventful period, and who took a greater interest in passing events than probably any other man then living : not to mention a mind "measured by latitude" brought to bear upon them, for the instruction of mankind? I speak, of course, of the illustrious Edmund Burke.

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* *Paradise Lost,* v. 161.

"In the highest climax of their horrors they [by *they* he means the people of France, who rose *en masse* and massacred their priests] shut up the temples of God, abolished his worship, and proclaimed death to be an eternal sleep: as if, pointing to the silence of the sepulchre and the sleep of the dead, these furious barbarians meant to apologize for giving neither sleep, quiet, nor repose to the living."

Hence we learn a lesson, never to be wiped out of the history of the human race, (for the horrors of Jerusalem even, when it fell to the sword of Titus, are not to be compared to those of 1792 in France,) that when the depravity of a priesthood drives the people to rebellion, their vengeance is not always slaked with the blood of their priests; but that, in their unbridled fury, they may go the length of shutting up the temples of God, abolishing his worship, and ignoring his very being. There is another instance of this in the siege and sack of Constantinople; but enough of the Chamber of Horrors.*

Without going minutely into the circumstances that immediately preceded what is known as the martyrdom of King Charles I., it is not unworthy of a passing remark that in 1641 he (the King) confirmed *the Scotch Declaration*, which stated that the government of the Church by Archbishops and Bishops was contrary to the Word of God.†

Assuming the *existence* and even *expediency* of a priesthood, is it absolutely necessary to man's salvation? Be not alarmed, my dear friends, for your safety—your safety here or hereafter. It is but an old bugbear in a new form, or, as Milton would have expressed it, is but "an old canonical sleight of commuting our penance." Perhaps, Macaulay's commentary on the return of a thing not unlike it in form or substance, in his *Essay on Milton*, is more appropriate:—"It comes back to

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* See Smith's *Wealth of Nations*, bk. v., ch. 1; and Bishop Burnet's *Reformation*.

† See *Declaration*, &c., in Chalmers.

us like a thief from transportation, under the *alias* of"—the great essayist's word is "legitimacy;" but, as the truth is not to be told at all times, I must "let I dare not wait upon I would," and all I propose to say about it is that the word intended by me to fill up the blank space is not "legitimacy."

Let us now see what the NEW TESTAMENT says about it—"The book," to use John Locke's words, "which has God for its author, salvation for its end, and truth, without any mixture of error, for its matter." In the 7th chapter of St. Paul's Epistle to the Hebrews, v. 14, we read as follows:—

"For it is evident that our Lord sprang out of Juda: of which tribe Moses spake nothing concerning priesthood."

In other words, Christ was not a Levite, nor of the tribe of Levi, nor of the order of the Jewish priesthood. Nay, more—He came to protest against that priesthood, their ordinances, their passover, and their circumcision.* Dr. E. Burton, in his admirable work entitled *History of the Christian Church,* says:—"Jesus Christ has not left any directions for governing his church: none, at least, are recorded in the books of the New Testament." Again, St. Peter's words, not addressed to persons of the sacerdotal order, are—"Ye are priests and kings."

Leaving the New Testament, wherein there are numberless sentences to the like effect, let us open "THE BOOK OF COMMON PRAYER," more particularly therein at the Thirty-nine Articles, or the Articles of Faith prescribed by law for members of the Church of England. † You may be surprised to hear me say so; notwithstanding I must tell you that the book which I hold in my hand (the Prayer Book) is, in a *legal* or *constitutional* point of view, an Act of the Imperial Parliament, and nothing more. I must explain this to you, that there may be no misunderstanding about it. In the year 1534 (the date of our final separation from the Church of Rome) the right to dictate to us what we are to believe and

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* Grattan.

† See Burnet on the Thirty-nine Articles.

what we are not to believe, what we are to do and what we are not to do, in ecclesiastical matters, was taken away from the Pope of Rome, and transferred, *not* to the King, but to the HIGH COURT OF PARLIAMENT—a legislative body consisting of King, Lords, and Commons: the Commons or Commoners in that august assembly being *our* representatives, that is, the representatives of the people. And ever since that great constitutional change "an enlightened Parliament has overarched the whole community."* This justifies the famous sentiment of *Grattan* :—"What is the Protestant religion but the interference of Parliament rescuing Christianity from abuses introduced by its own priesthood?" The scheme was probably (as Macaulay in his masterly *Essay on Hallam's Constitutional History* says) "merely to rob the Babylonian enchantress of her ornaments, to transfer the full cup of her sorceries to other hands, spilling as little as possible by the way." But Harry VIII., "an orthodox Catholic excepting that he chose to be his own Pope," did not, thank God, succeed.

Our most gracious Sovereign Lady Queen Victoria is supreme head on earth of the Churches of England and Ireland; but she can neither alter the Established Religion, nor call individuals to account for their religious opinions. She cannot even profess the religion which *the legislature* has particularly forbidden (the Roman Catholic), and the prince who should profess it is declared incapable of inheriting, possessing, or enjoying the crown.†

That being so, let us see what we, the people of England, in the exercise of our right acquired at the time,—the right of private judgment,—have, by our representatives in Parliament, assented to: and how what has been been so assented to affects *us who are domiciled here in India.*

The Thirty-nine Articles were originally framed in Convocation. But neither the Convocation of 1562 nor that of 1571 had

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* Grattan.

† DeLolme *On the Constitution of England.*

any *legislative* power whatever, to affect any of us, even if we were actually domiciled in England. The High Court of Parliament, constituted, as I have told you, alone could or alone can make alter or amend any law whatever binding upon the laity. As regards laymen, the powers of the Convocation were and are negative. How canons or regulations made in convocation affect the *clergy* does not, in any way, concern us now. It is not unworthy of a passing remark that the Convocation, or Anglican Synod, was prorogued in 1717, and has never again sat for business."* *Requiescat in pace!*

Article 23. * * *

In this Article it is declared that it is not lawful for any man to take upon himself the office of *public* preaching, before he be lawfully called to the work by some one who has *public authority given to him by the congregation* to call him. This is plain enough; but it is plainer still, if possible, that the injunction or prohibition has no application whatever to us here; and for this plain reason—because the Act of Parliament, of which the Articles form part, has never been extended to *India*—not one line of it, not a word of it. That being so, our mode of ministry here violates no law, there being no law of the sort to violate. Again, the preaching in a room like this, even if we were in England, would not be a *public* preaching. It is strictly *private*, the room never having been set apart, by *public* authority, for any *public* purpose. I avoid advisedly the word *consecrated*, because some frivolous fanatics or pious fools have of late put forth the dogma that the publicly setting apart such a building for a religious purpose has the effect of impressing a fresh or peculiar character upon it. I do assure you that it is sheer nonsense, without a ray of reason or a word of revelation to support it.

It is clear, therefore, to demonstration, that none of the Thirty-nine Articles affect us, in the least, here, as members of the CHURCH OF CHRIST. Let me not, I pray, be misunderstood.

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* See Hallam's *Const. Hist.*, ch. 16; 1 Bl. Comm. 83; Gibson's *Synodus Angl.*

Many of these ARTICLES are declaratory of ancient usage and ancient law: and most of them have an obligation antecedent to, but not any, *quoad nos*, arising out of their force and authority, as Articles of Faith. As such they are obligatory upon every Christian, *in foro conscientiæ*. On matriculation into the University of Oxford I subscribed them; and I can now, though under no legal obligation to do so, most conscientiously subscribe them. Again, as regards the PRAYER BOOK, of which these Articles are a part, it is, as I have told you, an Act of Parliament, and nothing more—that is to say, viewed in a *legal* and *constitutional* light; nevertheless I regard it, apart from its uncommon merits as the work of uninspired men, with a reverence and awe little short of what is due to canonical Scripture. Again, that there may be no misunderstanding about my own views about the CHURCH OF ENGLAND, as established at the Reformation, I say to you in the language of Grattan:—"I love the mild government of the Church of England. It is a home for piety; it is a cradle for science: so that by an early alliance with divinity you guard the majesty of Heaven against the rebellion of wit. Those who would send back the clergy to the hair garment and to the naked foot would be the first to deride. I like the arched roof, the cathedral state, the human voice, and all the powers of evangelical harmony. They give a soul to our duty, and sway the senses on the side of salvation. The wisest men we know of, *Locke* and *Newton*, were Christians and Protestants. It is the minor genius that mutinies against the Gospel. He affords the universe one glance and hasn't patience for a second."

Having determined who may, legally and constitutionally, minister to a congregation, like ours, here in *India*, let us see what the word CHURCH means.

Article 19. * * *

According to the language of the Imperial Legislature, then, a Church is "*a congregation of faithful Christians.*" When the term is applied to the building, in which persons congregate, it is used in a secondary sense. It may not be

devoid of interest to you to be informed when it was that buildings set apart for worship were first used by Christians. This we derive from high authority. Dr. E. Burton, Regius Professor of Divinity in the University of Oxford, in his admirable treatise entitled *History of the Christian Church from the Ascension of Jesus Christ to the Conversion of Constantine*, says:—"In the time of the Emperor Alexander Severus (222 A.D.) some keepers of a tavern, in Rome, claimed a piece of ground that had been occupied by the Christians. It came before the Emperor; and he adjudged it to the Christians, adding this remark—that it was better for God to be worshipped there, in any manner, than the ground to be used for a p[illegible]-house. This seems to be (adds Dr. Burton) the date when churches or separate buildings, set apart for public worship in Rome, were first used." *

Let us now take the opinions of divines and philosophers upon the subject. And first of all that of Luther; for if he who *protested* against the corruptions of the Church of Rome, in whose bosom he had been nurtured, if he who laid the foundation-stone of every Protestant church on the face of the earth—if he did not know, whoever did, or does know? MARTIN LUTHER!

> ..... "*Clarum et venerabile nomen*
> *Gentibus, et multum nostræ quod proderat urbi!*"

Pardon me a few moments' digression while I give vent to my feelings; for I never come across the name of Luther without being tempted to become one of those offenders against whom the Almighty directed His special canon when He said: "I am the Lord thy God, thou shalt have none other gods but me." I feel tempted to idolize him: and I envy not the man that can rise from the study of D'Aubigné's *History of the Reformation* or Michelet's *Life of Luther* with any other feeling. I could wish to read to you page upon page of D'Aubigné's masterly work; but that must be left to another

* *Semble*, set apart by *public* authority for *public* worship: see Gibbon's *Hist.*, ch. 15 and 16; Dr. Cumming's *Lectures*, p. 296.

time, when the whole scheme of the Protestant Reformation can be brought before you. It must be done in its integrity or not at all. There is, however, one scene in this extraordinary man's life, in some degree affecting the question before us, that I cannot help referring to. I mean his appearance before the Diet of Worms, in 1521, to answer a charge of heresy, and, if convicted, to suffer the pains and penalties of heresy.

On the 31st of October 1517 Luther had posted his *thesis*—his ever memorable protest against Popery—upon the gates of Wittenberg Cathedral. THE DIET OF WORMS, before which he was summoned to appear, was the most august assembly the Christian world ever saw—the most august whether we regard it as the mere gathering of the mightiest potentates and princes in the Western world, or as to the magnitude of the issue to be there determined. The public prosecutor was Leo X., the Roman Pontiff, claiming, by right divine, to be God's vicegerent on earth, and universal lord of all things, temporal and spiritual. The accused was the excommunicated monk of Wittenberg. The advocates for the triple crown were the eloquent nuncio Alexander and the profound jurist Von Eck. The accused defended himself—if indeed that can be called a defence where the accused is peremptorily bid to hold his tongue. The accused stood alone, fearless: for

"Base fear becomes the guilty, not the free."

His judges were the mightiest potentates and princes in Christendom, and, what is more, were all Papists. Luther, when called upon to *retract*, in effect exclaimed—"Retract! never, so help me God! for every word of this blessed Book (the Bible) assures me that by Rome's sorceries have all nations been deceived: for this blessed Book tells me that 'Babylon the great is fallen.'" The funeral pile, still reeking with the destruction of his invaluable writings, was kept alive for himself—I shudder to relate it—within a few paces of the very door of the Diet. But the *brutum fulmen* of the Vatican passed, by the Divine will,

down the never-failing conductor which Luther held in his hands, into the earth beneath his feet; and he, as Daniel did from the lions' den, walked forth from the midst of those Furies unscathed of the flames prepared for him. In this gigantic struggle between the martyr of freedom and the apostle of tyranny the latter fell. Luther had struck a blow which resounded through the universe; and civil and religious liberty, to an extent and to a degree of perfection unknown before, was an accomplished fact. As regards ourselves, the blow aimed at the head of the Roman Pontiff was felt by the King of England. In 1534 England was finally severed from the see of Rome. A bull of excommunication, not long afterwards, issued forth against the *ci-devant* Defender of the Faith; and "the majestic lord who broke the bonds of Rome" issued, by way of retaliation, 1,500 copies of the Bible! The Reformation in 1534 had, in the tract of time, the same effect on religion as the Revolution of 1688, when its results were secured, had on civil liberty: while at the same time they acted and reacted upon each other. By the one we are now assured that the consciences of men are not in the exclusive keeping of priests, but in their own; in other words, that it is not the Church, but the Bible, that is the true standard or criterion of truth: by the other each nation—our nation at least—is not the property of its prince, but of the people. So it has been determined! Then, indeed, were days of the deliverance of human reason! * *Esto perpetua!*

Pardon me this digression. It has been a great relief to me. It will not be thrown away, I hope, upon you: seeing that it is Luther's opinion about the Church that I am just going to read to you. His words are—"It has been said that the Pope, the bishops, the priests, and all those who people the convents form the spiritual or ecclesiastical state: and that the princes, the nobility, the citizens and peasants form the secular or lay state. This is a fine story! Let no one, however, be startled at it. All Christians belong to the

* See Hallam's *Const. Hist.*, ch. 12 and 15; Macaulay's *Essay* upon it.

spiritual state, and there is no difference between them but that arising from the functions which they discharge. We have all one baptism, one faith; and this it is which constitutes the spiritual man. The unction, the tonsure, ordination, consecration by the bishop or the Pope, may make a hypocrite, but never a spiritual man. We are all consecrated priests by baptism: as St. Peter says, 'Ye are priests and kings.'" * * * Again he says:—"If we possess not this divine consecration, the pope's anointing can never make a priest." * * * Again he says:—"If a few pious laymen were banished to a desert place, and if, not having among them a priest consecrated by a bishop, they should agree to choose one of their own members, married or not married, this man would be as truly a priest as if all the bishops in the world had consecrated him. Thus Augustine, Ambrose, and Cyprian were elected." The books are so full of sentiments to the like effect, that I must ask you, as a favour, to refer to them yourselves. I especially invite your attention to Milton's Tractates *On the Visible Church, Prelatical Episcopacy,* and his *Eikonoklastes* (Bohn's edition of his prose works): Hooker's *Ecclesiastical Polity;* the 14th lecture of Secker, archbishop of Canterbury; Gibbon's *History of the Decline and Fall of the Roman Empire,* chapters 15 and 20; Hallam's *Const. Hist.* ch. 4; Chalmers' *Lectures on Church Establishment* (vol. IX. of his posthumous works), and Dr. Cumming's *Lectures.* There is one more whose emphatic language I must, at the risk of being tedious, read to you—that of Sydney Smith, late canon residentiary of St. Paul's Cathedral, London, a man of world-wide reputation:—"The *Church* (are his words) must be distinguished from *religion* itself. We might be Christians without any established Church at all, as some countries in the world are at this day. A Church Establishment is only an instrument for teaching religion, but an instrument of admirable contrivance, and of vast utility. The Church of England is the wisest and most enlightened sect of Christians. I think so, or I would not belong to it another hour."

Once more:—"Church establishment (are the words of

Grattan) is a creature of art, and a question of politics, not a work of nature. * * * The care of religion (adds he) is placed nowhere better than in the Legislature. * * * Since the Reformation an enlightened Parliament has overarched the whole community."

And let me add, in the language of Bishop Newton,—"What God and the constitution of things has thus joined together, let not man impiously pretend to put asunder."

Keep steadily in view always, I pray you, this never to be forgotten fact—that *Christianity* itself is a Divine institution, *the Church* is not; and that the government of the Church, like the government of the State, has been left to be regulated by human prudence.

There is another topic that I must not omit, the constitution of which is sometimes spoken of here in *India* as *the Church of England.* From my comments on the Prayer Book and the Thirty-nine Articles therein contained, you, no doubt, understand it in its main features; but I must tell you that you must, in order to appreciate it in all its bearings, study the Honourable Mr. Gibbs's able essay upon the subject, as well as the Royal Letters Patent, under which the metropolitan bishop of Calcutta and the other bishops derive their authority. And these again must be read by the light of the Act of the Imperial Parliament which defines the jurisdiction of ecclesiastics in India.*

I told you, at the outset, that I would rely, for proof, upon the testimony of others. But permit me to put in a few words on my own account anent some points raised amongst us. We have, according to our Articles of Faith, two Sacraments—Baptism and the Supper of the Lord. *Question :*—Can a layman administer either of them? *Answer :*—He can, any layman can: and laymen do it constantly in *private*, especially the rite of baptism. A medical man who would not do so, in the hour of need, deserves not the name of Christian. As regards the Holy Communion,

* 3 & 4 Wm. IV., c. 85.

you need only enter a Wesleyan, Anabaptist, Independent or other chapel, and you will be satisfied. Priestcraft says, No! The Church of Christ, the Church of England, as established at the Reformation, say, Yes! Choose for yourselves: for the right of private judgment, in all such matters, is, as I have told you, exclusively your own.

Again I would ask, are the multitudes of devout worshippers who generally fall under the denomination of Dissenters—for instance, the Methodists, the Anabaptists, the Independents, the Presbyterians, and others who assemble and meet together in buildings consecrated only by their own preachings and prayers, and who are ministered unto by men of piety, but upon whose heads the hands of an archbishop or bishop have never been imposed—are they, for the want of such consecration, imposition of hands, or the like, in danger of everlasting perdition? Every line of Holy Writ, which was written for our learning, answers, No! And man's own unaided reason instinctively revolts at the idea.

Again, where did John the Baptist—the forerunner of the Messiah—where did he preach? In a church? No! in the wilderness! What was his dress—purple and fine linen? camels' hair! Where did the Founder of our faith deliver His Sermon—in a temple made with hands? On a mount, with the heavens above His head and the earth at His feet! Where did the Apostles congregate and preach after the Ascension? Where they could! Where did St. Paul dispute with the Epicureans and others when he was at Athens? On the Areopagus or Hill of Mars! Where did the Philippians congregate, on the Sabbath, to hear the glad tidings of the Gospel from his lips? By "a river-side, where prayer was wont to be made"! * Where did the primitive Christians congregate for divine worship? In each others' houses, or wherever they could do so with safety! I say "with safety," because there were tyrants in those days, who cared not for the worship of God, as there are tyrants now that do so too: the

* Acts xvi. 13.

difference between them being, that they of old were from *without*, whereas now they are from *within*; formerly avowed heathens or avowed unbelievers: now they are professing Christians.

The comet of priestcraft, which for fear of change perplexes people, seems to be approaching us; for we live in an age

> "When unbelieving priests reform the nation,
> And teach more pliant methods of salvation,"

who would, if they could,

> "Snatch from His hand the balance and the rod,
> Rejudge his justice, and be the Gods of God."

Admi ka dil Khudda ka ghar hai—"The heart of man is the house of God"—is a Persian proverb. We say, every house, where Christ is, is a holy temple: and every man, in whose heart he is, is a priest. Take my word for it—if a fellow-man be clothed with righteousness, every outward vestment, be it the ephod of the Levite or the stole of the Bishop, is but the vain embellishment of a worldly institution. If, on the other hand, he be not clothed with righteousness, no outward vestments, no official trappings, no imposition of hands, can make him a priest. To repeat the emphatic language of Martin Luther—"Such things may make him a hypocrite, but never a spiritual man."

"The true Christian (I am now quoting again from the Reverend Canon Sydney Smith),—the true Christian, amid all the diversities of men, searches for the holy in desire, for the good in council, for the just in works: and he loves the good, under whatever temple, at whatever altar, he may find them."

What says Milton, in *Paradise Lost?*—

> ..... "God attributes to place
> No sanctity if none be thither brought
> By men who there frequent, or therein dwell."*

What read we in Holy Writ?

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* Bk xi. 836.

" Whosoever shall give you a cup of cold water to drink in my name because ye belong to Christ, verily I say unto you he shall not lose his reward."

To conclude with a few lines from Thomson's beautiful Hymn to be found at the end of his *Seasons* :—

" Should Fate command me to the farthest verge
Of the green earth, to distant barbarous climes,
Rivers unknown to song : where first the Sun
Gilds Indian mountains, or his setting beam
Flames on the Atlantic Isles : 'tis nought to me,
Since God is ever present, ever felt,
In the void waste, as in the city fully,
And where He vital spreads there must be joy."

LECTURE III.

THE CREATION.

Having, in my two former lectures, disposed of "*Ritualism*" and "*The Church,*" we come to our original text, namely,

The Works of Creation as revealed in the Book of Genesis.

The subject-matter proposed for the forthcoming series of lectures has been well described to be—

"A search the flight of time will ne'er efface."

But, as we are assured by Lord Bacon (one of the wisest of mankind) "that nothing, parcel of this world, is denied to man's inquiry and invention, that both heaven and earth conspire and contribute to the use and benefit of man"—let us, in all the confidence of men inspired with the love of truth, attempt the search: be the result what it may. So far as I myself am concerned, I can, in all sincerity, repeat the words of our late Recorder, the Right Honourable Sir James Mackintosh:—"To discover one new link of that eternal chain by which the Author of the universe has bound together the happiness and duty of His creatures, and indissolubly fastened their interests to each other, would fill my heart with more pleasure than all the fame with which the most ingenious paradox ever crowned the most eloquent sophist."

The Book of Genesis begins thus:—

"In the beginning God created the heaven and the earth."

Moses, whose record this is, (a fact attested by numerous texts of the "Book which has truth, without any mixture of error

for its matter",* proceeding from Him who was truth itself: a fact attested by the Jewish nation, the sacred depositories of the Books of the Law: a fact attested by Josephus who was, according to Scaliger, "the most diligent and the greatest lover of truth of all writers:"† a fact attested by Philo-Judæus: a fact attested by Mahomet and by the Mahometan races:‡ not to mention the positive testimony of some of the soundest divines, of the most renowned philosophers and poets, and the most impartial historians in Christendom,) Moses, whose "roll with a seal upon it" this is, lived about 1500 years before the commencement of the Christian era; and the period of the Creation is, according to this record—"Creation's Holy Book"—usually taken by the Christians to be about 4000 or 4004 years before the Christian era: in other words, about 5878 years ago.

The Bible itself, as you will be pleased to observe, assigns no precise period of time. It does not say "— *thousand years* ago God created the heaven and the earth:" but it says this, namely,—"*In the beginning* God created the heaven and the earth." The precise period of 4004 years assigned to it is mere matter of inference from facts stated *diverso intuitu.* According to Dr. Cumming, in his lecture "on Prophetic Dates and their solution," the figures should be 4132, instead of 4004, and 6010 instead of 5878.§ But I may have some more to say, on this head, when my discourse reaches the creation of man.

I ought, likewise, to inform you that from the 15th century

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* Locke. See St. John's Gospel, ch. i., v. 17; ch. v., vv. 45, 46, 47; St. Luke, ch. xxiv., v. 25; Acts of the Apostles, ch. xvii., v. 11, and ch. xxvi., vv. 22, 23: Romans, ch. iii., v. 21.

† *History*, bk. viii., ch. 3; bk. x., ch. 2: Pref. s. 4; and Apion, bk. i., s. 8.

‡ See Sale's *Koran, Prel. Disc.*, sec. 4; and ch. 2, 3, 7, and 10.

§ See Josephus, bk. viii., ch. 3; Gibbon, ch. 15, 40: Fraser's *Blending Lights*, ch. 9.

the Jews have dated their years from the Creation : which they reckon to have taken place on the 7th of October 3761 B.C. We Christians reckon from the *supposed* epoch of the nativity of Jesus Christ. I say " supposed" because the precise date of His birth is not known. The only fact of this kind that we can state positively, on the authority of the Gospel, is that He was about thirty years old when He began His ministry : and that He began it about the fifteenth year of the reign of Tiberius Cæsar. (Note.—The Christian era was never used until about 527, or, as some say, 532 A.D.)*

As the credit of the sacred historian has been called in question : or, as Gibbon expresses it, as " there are some objections against the authority of Moses and the Prophets, which too readily present themselves to the sceptical mind ; though they can only be derived from our ignorance of remote antiquity, and from our incapacity to form an adequate judgment of the Divine Economy," I cannot resist the temptation of reciting a beautiful passage from the writings of *M. De Chateaubriand,* respecting the nation to which the Jewish Lawgiver, " the man seen in all the learning of the Egyptians," or, to use Milton's words, " God's first pen, of God highly beloved," belonged. " It is a fact which is the miracle of history and the wonder of the world, that the ties which unite this people seem indissoluble : while other nations have risen, and ruled, and fallen, while the ties which united them have been severed and the fragments have been lost amid earth's teeming population : the stock of Abraham endures, like an incorruptible monument of gold, undestroyed by the attrition of the waves of time, which have dashed in pieces and washed away other nations, whose origin was but yesterday, compared with this ancient and wonderful people."

THE HINDOOS form, by far, the largest community of the people of *the Empire of India.* Their records and traditions,

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* Saxon Chronicle by Giles, Pref. ; Gibbon, ch. 4. Judging from king Alfred's *Orosius,* the building of Rome, or A.U.C., used to be the landmark.

therefore, as to the fact, time and circumstance of the beginning of all things, claim precedence. Indeed, apart from the numerical preponderance of race, the very records themselves being, as the erudite Max Müller describes them, "the most ancient in existence," especially of the Aryan family of man, to which we all that are from the Western world, in common, belong: they are, at once, most interesting, and most instructive. But—because of their voluminous character, as well as of their paramount importance in an historical point of view—it seems advisable to postpone the consideration of them, until we have disposed of others that do not fill so much space on the page of history.

As regards THE KORAN—Al Kitab, or The Book of the Mahometan nation. It appeared in the 7th century of the Christian era. It was written in the Koreish dialect of the Arabic language, which was, for purity and eloquence, most renowned. It is, in itself, regarded as the standard of the Arabic tongue. The Arabic of the Koran is taught, as a dead language, in Mecca.* The Koran was revealed, as the true Moslem believes, by the angel Gabriel to Mahomet, at different times, at his discretion, in the course of twenty-three years: is uncreated and eternal: and is, in itself, a miracle all-sufficient to attest his divine mission: or, as Gibbon expresses it—"Subsisting in the essence of the Deity, and inscribed with a pen of light on the tablet of his everlasting decrees." Now, in it we find it expressly admitted that the law of Moses was the only rule of judging till the coming of Jesus Christ: and that after that event the Gospel contained the rule of life. It is then laid down that the revelations of the Koran superseded both—in other words, "that the chain of inspiration was prolonged from the fall of man to the promulgation of the Koran."† In this, be pleased to observe, is necessarily implied the admission, or rather recognition, that the Pentateuch and the Gospels are authentic;

* See ch. 5, *Prel. Disc.*, s. 3 (Sale); Hallam's *Middle Ages*, ch. 6: and Gibbon's admirable comments on the Koran, ch. 50, 51.

† Gibbon.

for otherwise supersession of them by the Koran was nugatory. Considering when and by whom this corroborative testimony in their favour was recorded, *we regard it under the circumstances* with *uncommon interest.* As you probably know, the prophet's Hijra—that is, retreat or flight (for so it is variously interpreted), from Mecca to Medina—took place on Friday the 16th July (18th N.S.) 622 A.D. : and that it is from that event that they calculate their *hijras* or eras. Now in the 8th and 10th chapters of the Koran we read as follows :—"God spake to Moses by revelation, and delivered the books of the law to him." By the words "books of the law" is not meant the tables of the law that were delivered to Moses on Mount Sinai : but *the Pentateuch,* or *the five Books of Moses;* of which the book of Genesis is one. This is beyond all manner of doubt; for in Sale's translation of the Koran (universally admitted to be the best extant) the very word *Pentateuch* is used. The fact, time, and circumstance of the creation are, therefore, one and the same for the Jew, the Christian, and the Mussulman. And this record of Moses, in the book of Genesis, is, so far, the common record of the three nations.

2. THE BUDDHISTS next claim our attention. As it is said that not a single Buddhist exists in India Proper, it is not on account of their numbers, as a nation, that I place them next. The reason for doing so will presently appear. The Buddhist books (Jatras or Discourses of Buddha) are, as you probably know, in the *Pali* or *Magadhi* language—the language of ancient Berar. Magadha, whence the name comes, was a kingdom, on the Ganges, in which Buddha lived, or, as some say, was born. It is said to "stand at the head of the historical literature of the East."* As you probably know, the Buddhists ignore the institution of caste: and repudiate an hereditary priesthood, as well as the Vedas and Puranas of the Hindoos.

BUDDHA, Sakya Muni, or Gotama, is supposed to have been the son of the Raja of Kapila Vasta, a place northwards of

* See Turnour's Intr. to the *Mahawanso* of Ceylon. See, also, Sir E. Tennant's *Ceylon,* ch. 4 and 11.

Gorakhpur: and he died, according to Max Müller, in the year 477 B.C.; according to Elphinstone, in 550 B.C.; according to others, in the year 543 B. C.* This, however, is clear—that its historical existence begins with Asoka; in other words, that from about 250 B.C. to about 650 A.D.—that is to say, for about nine hundred years, Buddhism was the prevalent religion in Central India. And Buddhism is at this time the religion of one-third of the inhabitants of the globe—roughly estimated at ten hundred millions. It has long ceased, as I have already told you, to have the least hold upon any part of India Proper (save and except in its modified form of Jynism or Jainism), but it is still the paramount religion of Ceylon, China, Burmah, Siam, Ava, Pegu, Thibet, Tartary, Mongolia, Siberia, and of other densely populated parts of the globe.†

Buddhism was, in its origin, only a reformed system of Brahmanism: but it became essentially different. The sum and substance of it now is (whether theistical, as in Nepaul, or atheistical, as in Ceylon and China) that nothing exists but matter —matter at once eternal, intelligent, and self-organic: by self-organic I mean—having of itself and in itself the organ of self-procession or self-spontaneity. As Bacon says of Aristotle, "What need had *Buddha* of a God after having impregnated nature with final causes?" Where Buddhism prevails in the theistical form, they refuse to acknowledge their *Theos* as Creator and Ruler of the universe. It necessarily follows that, according to the Buddhist creed, no such thing as time or place can be predicated of the beginning of things: and simply because matter, the only thing in existence, was never, as they say, created at all, by any necessary, self-existent, eternal, intelligent, almighty Being or Agent: but was and is self-produced—was and is the product of self-spontaneity. As

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* *Vide* Max Müller's *Sanskrit Lit.*, pp. 266, 298.

† See Burnouf's *History of Buddhism*; Tennant's *Ceylon*, pt. IV., ch. II, s. 64, pp. 519-528; Erskine's *Essay* (*Trans. Bo. Br. R. As. Soc.*, Vol. III., p. 503); Elphinstone's *Hist.*, vol. II., ch. 4, wherein is discussed the question whether Hinduism or Buddhism be the older.

to the Buddhism of the East and the Averroism and Darwinism of the West, I shall have more to say anon. In passing let me remind you that the cave-temples, or "the sacred chambers hewn out of the strata on the mountain sides* at Karlee, Nassick, and Ellora, are (amongst others in our immediate neighbourhood) the remains of Buddhist grandeur.

Of this religion Max Müller, in his *History of Ancient Sanskrit Literature*, says:—"There is something in the doctrines of Buddhism that is common to all systems of philosophy or religion, which break with the traditions of an effete idol-worship and a tyrannical hierarchy. There is some truth in Buddhism, as there is in every one of the false religions of the world. * * * It may seem to have retarded the advent of Christianity among a large portion of the human race. But * * * it may have but served to prepare the way of Christ, by helping, through its very errors, to strengthen and to deepen the ineradicable yearning of the human mind after the truth of God."

3. *The Parsees*, "the remnant of the mighty and flourishing race of people who inhabited Persia centuries before the Christian era," next claim attention. The Zend-Avesta, or Avesta-Zend, as some style it, is their Scripture. It is in the Zend language: the supposed language of *Bactria*, or the country northward of Afghanistan, and at the foot of the Hindoo Koosh. It is one of the oldest forms of known speech.† The language of the commentary,—the Pehlvi language,—though by centuries more modern than the Zend, has ceased to be a living language. When Zirdusht, Zerdusht, Zoratusht, or Zoroaster lived is much disputed. I agree with those who assert that he was a contemporary, or nearly so, of Moses.‡

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* H. E. Sir R. Temple, Bart.

† See Gibbon, ch. 51.

‡ See Gibbon, ch. 8, 50, 51; Mirkhond's *History of the Early Kings of Persia* (Shea), pp. 47, 207; Max Müller, Lec. V.

I should inform you that they reckon from 632 A.D., or from Yezdejird, with whom ended the ancient monarchy of Persia. Now, what is the Zerdushti or Parsee creed? It is Theism or Deism. The disciples believe in one God, the Creator and Preserver of the universe. As Herodotus of old expressed it—"Hymns and prayers are the principal worship: the Supreme God, who fills the wide circle of heaven, is the object to whom they are addressed."* We do indeed, read as follows:—"He, Zoroaster, conceives of the Deity as time without bounds: as undefined primeval light: as destitute of qualities: and as absorbed in his own essence." Mill, our historian, on meeting with just such an *olla podrida* or trash in the *Institutes of Menu,* presently to be noticed, denounced it as incoherence and absurdity: for which Professor Horace Wilson—his very learned editor and continuator—rates him severely. Out of respect to the memory of the late Dr. John Wilson, whose words these are, I content myself with saying that his commentary smacks strongly of that *scientia inflat* or verbosity which Lord Bacon denounces as one of learning's greatest impediments. "Time without bounds"! What is Time without bounds? I answer: What is without bounds is *not* time, but eternity. Time belongs to this world: Eternity to God. Time is created: and has its bounds. Eternity is Divine: and has none. Again I make bold to assert that it is no part of the Zerdushti creed that the soul of man, when released from its earthly tabernacle, is absorbed in the Deity. Dr. J. Wilson seems to me to have copied, without reflection, a passage from Gibbon, without Gibbon's avowed ignorance (not doubt!) of the subject. The Parsee (I use the term, though seldom used amongst themselves), in common with ourselves, believes that the human soul is not a "drop in the ocean" (as Brahmanism has it): but that it is distinct, and is, after death, the object of reward and punishment.

Notwithstanding, from the few religious books "that have escaped the clutches of the envious Greeks, the sword of the

* See Gibbon, ch. 8.

Macedonian madman, or the ravages of time, we find little or nothing to show the length of *time* taken up by the Creation. There is indeed a note in the Vesperad I., as well as a tradition of its having taken up *six* different periods (*Gahambars*)* varying from forty-five to eighty days each: but that is all. When I come to the creation of man and the Garden of Eden (their *airyanam vaejo*), I will enlarge upon this. Enough for the present.

4. And now to the Hindoos. The primary books, whence the rest of their sacred writings emanated, are *the Vedas*. Thy are said to have been revealed by *Bramhà*. A sage, who got from the compilation the name of *Vyása* or *Vedavyasa*, arranged them in their present form. The word *Veda* signifies knowledge: and its root light or fire. They are supposed to have originally consisted of three, namely, *Rigveda*, *Yajurveda*, and *Samaveda*. They are written in the Sanskrit language—the language of the literature and religion of India from the time of Alexander to the reign of Akbar: but it ceased to be a spoken language at least 300 B.C. It is still, however, the *literary* language of the Brahmans. How it degenerated into the modern Hindi, Hindustani, Marathi, and Bengali, I stop not to consider. According to Max Müller, "the Veda is a work more ancient than the Zend-Avesta and Homer." But a man of equal authority, Professor Bopp, expresses his unwillingness to receive the Zend as a mere dialect of the Sanskrit. This seems agreed upon, however—that Zend and Sanskrit are the oldest languages of the Indo-European family: and are offsets of an *older* primitive one. Whether the Hebrew be or be not the *primitive language*, or whether there be a *common origin*, are *vexed questions* too abstruse for us to enter upon here.

The Hindoos are taught to believe, says *Mill*,† that the

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* See Mirkhond's *Hist. of Persia* (Shea); Gibbon, ch. 51.

† Sir Gardner Wilkinson in Rawlinson's *Herod.*, I., p. 280; Bunsen's *Outlines*, I. 476; Max Müller's Lec. IV. and V.; Haug's *Lectures*, ib.

"present age of the world is distinguished into four grand periods, denominated *Yugs*. The first is the *Satya-Yug*, comprehending 1,728,000 years: the second the *Trita-Yug*, comprehending 1,296,000 years: the third the *Dwapar-yug*, including 864,000 years: and the fourth, the *Cali-Yug*, which will extend to 432,000 years. Of these periods the first three are expired: and in this year (1878) is comprehended a space of 3,892,972 years: the antiquity to which these people lay claim.*" As Sir W. Jones remarks in his Preface to *The Institutes of Menu*:—"We are lost in an inextricable labyrinth of imaginary astronomical cycles, Yugas, Mahayugas, Calpas, and Manwantaras, in attempting to elucidate the time when the first Menu, according to the Brahmans, governed the world, and became the progenitor of mankind: who from him are called *Mánaváh*."†

The primary doctrine of the Veds is this:—that there is but one Deity, the Supreme Spirit, the Lord of the universe, whose work is the universe. Mark, I earnestly beseech you—I speak of the Veds, not of the Shastras or *Puranas*, still less of the Bhágavata Purana or the Prem Ságar: I speak of Hinduism, not Brahmanism: I speak of religion, not priestcraft.‡ When the proper time comes I will read to you, from Max Müller, one of their sublime hymns referred to.

And now again to THE BOOK OF GENESIS. Here arises the vital question—have the writings of Moses come down to our time in such a state of preservation as to be relied upon? I have no hesitation whatever in answering that question in the affirmative. The Mahometans, indeed, do assert that the Jews have corrupted the Pentateuch, by suppressing the prophecies relating to their prophet: and among professing Christians one *Draper*, of late, boldly asserted that one Esdras, or Esdra, was the *author* of the Pentateuch. Had he asserted that Esdras, the

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* Bk. ii., ch. 1. See Prof. H. Wilson's Note.

† As to the word *Man*, see M. Müller, *Lect.*, p. 368.

‡ See Max Müller's *Ancient Sanskrit Lit.*; Elphinstone's *Hist.*, p. 39; Colebrooke's *Asiatic Res.* (Bombay), vols. III. and IX..

priest and scribe, had re-copied it, Jewish tradition would have aided him.* But to claim for him the *authorship* of it puts Dr. Draper out of court. Who the doctor's Esdras was seems to be a mystery, even to the doctor himself. It can be, methinks, no other personage than Ozair or Ezdra, whose dead ass, as we read in a learned note in Sale's *Koran*, the moment that Mahomet set eyes upon it, reared up, and began to bray: and, for his good behaviour on the occasion, was rewarded with the *entrée* into the stalls of the fifth Heaven, at the tail of the dog of the Seven Sleepers.

I myself am wholly unable to suggest aught else to get the doctor out of the awkward dilemma. Certain am I—as certain as I am of my own existence—that the Esdras of our Bible never was the *author* of one word of it. On the contrary, he (the Esdras of our Bible), in ch. iii., v. 2 ; ch. vi., v. 18; and ch. vii., v. 6, expressly refers to them as the writings of Moses. How well does this illustrate Haliburton's sarcasm—"If folks will have facts, why let 'em invent them!" Be pleased to remember the author of *The Attaché* is alluding to a geographical morality, *i.e.* in a land where religion must be republicanized—that is, stimulated or sweetened by condiments, good, bad, and indifferent, to suit the palates of all sorts and conditions of men. Perhaps Max Müller's remark may be more pleasing:—"In America," says he, "comparative philologists have been encouraged to prove the impossibility of a common origin of languages and races, in order to justify, by scientific arguments, the unhallowed theory of slavery."†

THE PENTATEUCH, OR THE FIVE BOOKS OF MOSES, were composed in Hebrew. The name is purely Greek: being derived from *pente* (five) and *teuchos* (book). The Jews called it *Karâh* or *Mikra*. Where the original Hebrew MS. is no one knows. It was deposited in the Temple. Some seem to be of opinion that it was destroyed in the time of Nebuchadnezzar.

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* See Benjamin's *Travels*, ch. 8 (Diarbekr).

† *Lect.* I. (*Empirical Stage.*)

Others say that it was still in the Temple in the year 69 of the Christian era, when Jerusalem fell to the sword of Titus.

I myself, after much research and consideration, am persuaded that it was in the Temple in the time of *Josephus*; for, apart from his acknowledged fidelity and ability as an historian, he was actually present at the siege, under Titus, in the year 69: and returned, as a prisoner, along with Titus and the legions, to Rome. Had it been otherwise, he would, as it seems to me, have mentioned it. Nay, indeed, we are informed by him, that *the Books of the Law*, the veil of the Temple, and the *sacred utensils* were taken, as spoils, to Rome: that the Books of the Law were deposited in the Palatium, and the rest of the sacred spoils in the Temple of Peace. That being so, what better proof do you desire of the fact? Again, we know from other sources that the Palatium, together with the valuable library of Augustus, as well as the Temple of Peace, was afterwards destroyed by fire. We also, in tracing the history of these sacred spoils, find—that *Genseric* took what remained of the *sacred utensils* to Africa: and that they were taken to Constantinople, about the year 520 A.D., by *Belisarius:* and, finally, distributed by Belisarius amongst the Christian churches in Jerusalem. So we read about them in books of acknowledged authority. The doubt I have of the destruction *of the Books of the Law* by fire in the time of Vespasian, when the library of Augustus was destroyed, arises from the fact that neither Josephus, who was then actually living in Rome, nor Clement bishop of Rome (whose invaluable Epistle to the Church at Corinth is still preserved) mentions the fact. That being so, I am disposed to think that they were at that time saved: and the probability is that the monster Domitian, a few years later, amongst other acts of barbarity towards the Jews and Christians, whom he confounded, ordered them to be burnt; for in Genseric's time *the Books of the Law*, of a certainty, were not in Rome. Between these two periods all trace of them seems to disappear. As regards the sacred things distributed amongst the churches at Jerusalem by Belisarius, whatever they were, the probability is that they passed into other hands at the Saracen

loot of the ill-fated city, that so soon followed.* There seems to be no trace of them now.

The Jews have some copies of the Books of the Law upon which they set great value, especially the Vatican and the Alexandrian. Moreover at Nabulus—or Schechem, as the name is written by the late Dr. John Wilson in his *Lands of the Bible*—at "Nablous, the ancient Sh'khem on Mount Ephraim," as it is written by Benjamin of Tudela, are a body of Cuthæans called Samaritans, claiming to be of the tribe of Ephraim: and who are at this day the guardians of the tomb of "Joseph the Righteous." In their synagogue there is deposited a copy of the original Hebrew text in the Samaritan language: believed by themselves, and by the Jews in general, to be in the handwriting of Abishua, the son of Phinehas, the son of Eleazar, the son of Aaron. There is also deposited there a scroll or roll of the Pentateuch, generally believed by them to be in the handwriting of Eleazar. The authenticity of this Samaritan copy of the original Hebrew text has called forth keen discussion. But the proofs in favour of its authenticity do far—very far, in my judgment—preponderate. I would particularly refer you, for an interesting account of Nabulus, to *The Lands of the Bible*, by our late lamented fellow-citizen, Dr. John Wilson. It is in all our city libraries. The writings of the Baron de Sacy, the Abbé Bargès, the Oriental travels of Benjamin of Tudela, and those of Herr I. I. Benjamin, are well worth your attention; but, as they are rare books, I content myself with a bare reference to them, in case any of you wish to follow up the subject. Besides this Samaritan copy of the original Hebrew at Nablous or Shechem,—at Napacha, on the Euphrates, fifty or sixty parasangs from Babylon or the ancient Babel, is the tomb of the prophet (I'cheskal) Ezekiel: and here, also, is a MS. Pentateuch in Ezekiel's own handwriting. At Bagdad and at Ghiagur or Ras-al-aien, between Bagdad and Babylon, there are also rolls or scrolls of the Pentateuch. At Diarbekr, on his expedition to Armenia, Herr

* See Benjamin of Tudela, vol. I., p. 4; Herr Benjamin, ch. 5.

Benjamin inquired into the history of the copy said to be in the handwriting of Ezra. "Doubtless," says he, "it is a very ancient one:" but he was unable to throw much light upon its history. The Jews of China have their Sefer Thora, or Pentateuch (Benjamin of Tudela, vol. I., p. 109; Herr Benjamin, ch. 16, *Kabar Kefil.*

About the year 200 B.C., or, according to Archbp. Ussher, about the year 277, or according to Max Muller, about 285, a translation of the Hebrew text into Greek was made.* It is known by the name of THE SEPTUAGINT—either so called from the seventy or seventy-two persons said to have been engaged on the task, or from the Jewish Sanhedrim, that sanctioned it. The Septuagint is mentioned by Josephus, and is still in existence: but imperfect. *Origen* undertook to revise it. When he did so, there were several other translations of the original Hebrew text extant.† There were, for instance, those of Aquila, Theodosius, Symmachus, and others. Origen, about the year 235 A. D., republished them in six parallel columns with the text of the original Hebrew. He is said to have been engaged upon it twenty-eight years. This work of Origen has been lost: probably in the barbarous destruction of the famous library at Alexandria, by the fanatic Arabs in the year 641 A. D. "The varieties and mistakes" of the Septuagint are admitted by Dr. Burton and other divines. But it is well worthy of a passing remark that out of 37 quotations in the *New* from the *Old Testament,* 33 out of the 37 agree with the Septuagint! Luther, I must tell you, preferred the translation by *Jerome* to that of the Septuagint: and "*Lyra,*" adds he, "above all others, was the best Hebraist, and a diligent translator of the Old and New Testament."‡ At Upsal, in Sweden, is deposited Bishop Ulfilas's translation from the

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* 3rd *Lecture*, p. 86.

† See Burton's *Hist.*; *Encyclopædia Brit.* (tit. Septuagint, Pentateuch, Bible).

‡ As to the different translations of the Bible see Hallam's *Const. Hist.* (tit. Reformation); Gibbon, ch. 37; Sale's *Koran, Prel. Disc.*, s. 3; Wilson's *Lands of the Bible*, vol. II. (Samaritans).

Septuagint into Gothic.* So far as regards the condition or preservation of the writings of Moses.

Whether the Pentateuch be, from first to last, the writing of Moses: or, whether it was written by him at the same time, or at different times, I stop not now to consider. It would be strange, indeed, if, in an adventurous age like ours, there should not start up some choice spirits ambitious of the fame of a Celsus, a Julian, or a Spinosa. Vater and De Wette fretted their hour on the sceptic stage, and Colenso and some others of our age and country have shown what they would do, in this line, if the laity would only let them.

Again, I am not aware that any of these persons, in their rashest moments, ever had the hardihood to call in question the *age* in which the Pentateuch was written, or the *authenticity* of this *particular* chapter of it—that is to say, of the first chapter of the Book of Genesis. That being so, we may proceed in our inquiry, without the risk of being disturbed by any of their reveries.

* Max Müller's *Lectures*, p. 174.

LECTURE IV.

THE CREATION.

The word *Bible* is, as you probably know, a Greek word (*Biblos*) signifying *book :* and it may be, with equal propriety, applied to the New as to the Old Testament. But, by common consent, it seems to be confined to the latter. Whenever, therefore, you hear the word used by me here, you must understand me as using it exclusively of the Old Testament.

As regards the *sufficiency* of the Pentateuch, or the Five Books of Moses (amongst others) for man's *salvation*, we read, in the Thirty-nine Articles—to be found at the end of the Book of Common Prayer—as follows :—

Articles 6 and 7.

In this catalogue of *canonical* books—that is to say, of books whence we derive our canon or rules of faith, and of whose authority there never was any doubt in the Church—the Book of Genesis stands first, and the few first words of that book, as you all know, are—

" In the beginning God created the heaven and the earth."

I could wish, before we go any further, to give you some good advice, as to the mode in which you should read the Bible. Be pleased to observe that this advice is none of mine originally. It is that of one of the brightest geniuses of English literature, and no mean ornament of the Church, of which he was a dignitary—I mean Dean Swift. In one of his best sermons we read as follows :—" The Bible (says he) does not require you to believe any *mystery*. It requires you to believe *facts :* not in the *manner* of them. For instance, we

read in it—'God said, Let there be light, and there was light.' I am required thereby to believe in the plain and simple *fact*; the manner, which is the *mystery* of it, I am not required to believe: because I do not understand it. So, likewise, the Bible says:—'There are three that bear record in heaven, the Father, the Word, and the Holy Spirit, and these three are one.' The *fact* I am thereby required to believe: and I do believe it: but the *manner* of it, which is the *mystery* of it, is not required of me." *

Lord Bacon, likewise, has left us this for our learning:—"Do not attempt to draw down or submit the mysteries of God to our reason: but contrariwise to raise and advance our reason to the Divine Truth."

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Keep, I earnestly beseech you, these prime lessons in mind, and if, from any accidental cause, you do get into a bye-path, you will not be long in it.

And now to our subject again.

"In the beginning God created the heaven and the earth."

In the beginning of what? In the beginning of time.† What is time? "TIME (according to *Addison*, in one of his best essays) is that portion of Eternity which is measured out by the sun: and reaches from the beginning of the world to its consummation." "Time (according to *John Wesley*) is a fragment of Eternity allotted out to the children of men." "Time (says *Bœthius*) is a flowing now; Eternity is a standing now: the one is a moving moment; the other a permanent instant." The words of *Plato*, one of the most renowned of the Greek philosophers, are—"The expressions it *was*, it *is*, it *will*

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* See, also, Dr. Whewell's *Hist. of Ind. Sc.*, vol. III., p. 504; Herschel's *Letter to Dr. Pye Smith*; Rénan, *Hist. Rel.* 27.

† See *ante*, p. 40; Lange's *Comm. on Genesis*; Fraser's *Blending Lights*, p. 33, 2nd ed., as to the Hebrew words *Bore* and *Bara*. As to the meaning of the word *beginning* see vol. II. of Milton's *Prose Works* (Bohn's ed., tit. Creation); Bacon's *Advt. of Learn.*, bk. i.

be, are parts of time: and wrongly used when speaking of the Eternal Nature. To this only it *is* can be properly applied."

The idea of time, as here expounded, would be, as it seems to me, somewhat defective, were I to keep from you their ideas of Eternity. "ETERNITY, or infinite duration, is (according to Addison) a line that has neither a beginning nor an end." "INFINITE SPACE (says he) is an expansion without a circumference."

Then in the beginning of time (which is the absolute, or "the beginning of all beginnings" connected with the history of our globe), God created the heaven and the earth: and geologists, however discordant in general, assure us of this—that all the visible forms of organic life had a beginning in time. Again, all are agreed in this—that not a trace of man's presence is visible anywhere inconsistent with the record of Moses.*

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Articles * * *

In these Articles of Faith, prescribed by the Imperial Parliament, soon after the Reformation, for members of the Church of England, we have expounded the nature of the Godhead. At the same time, I myself prefer the general words of the Gospel. I prefer them simply and singly because of their generality and simplicity. He who runs may read them: whereas the Articles necessarily require great care, much knowledge, and no small share of analytic skill. The words I refer to are:—

"There are three that bear record in heaven, the Father, the Word, and the Holy Spirit: and these *three* are ONE."

Of a Being "whose *centre* is everywhere, and whose *circumference* is nowhere:" in whose nature is, at once, *divisibility* and *unity*, our ideas are negative. The word used in the Athanasian Creed is "incomprehensible." Likewise our ideas of spirit or immateriality are negative, and therefore obscure. "That the soul will not perish by any inherent cause of decay,

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* Hugh Miller's *Testimony of the Rocks*, p. 197; Prof. Sedgwick's *Disc.*; Sir C. Lyell; Dr. Cumming's *Lectures*, 1 and 2; Paley's *Nat. Theol.*, ch. 24.

or principle of corruption, may be shown by philosophy: but philosophy can tell no more. That it will not be annihilated by him that made it, we must humbly learn from higher authority."*

Luther, as well as *Wesley*, seemed to think that a "trinity is discernible throughout nature." There is, indeed, a very remarkable circumstance, namely, that the mysterious doctrine pervades the Veds and Puranas of the Hindoos. The *Trimurti* of the Maharashtra Hindu, as seen in the Garapuri or Elephanta caves, is an instance. Another is observable in the Brahmanical doctrine that man is only perfect when he consists of *three* persons, namely, himself, his wife, and his son. Note, I pray you, that neither the word *Trinity* nor *Person* is to be found in the New Testament. Some say that the word *Triad* or *Trinity* was introduced from the schools of philosophy into the theology of the Christians, after the middle of the 2nd century: others contend—and, as I think rightly—that *Athanasius* introduced it.†

This brings us to the first few verses of St. John's Gospel.***

Mark distinctly and emphatically, I beseech you, the few concluding words of the first verse, "*The Word was God.*" The record of Moses which says, "In the beginning *God* created the heaven and the earth," and the record of John, which says *the Word* created all things, are hereby—that is to say, by the words "the Word was God"—absolutely and perfectly reconciled; for it was the one God, according to both texts, that created all things.‡ Thus then, of the three that bear record in heaven and are ONE, two of them, namely, the Father and the Word, are plainly set before you. It remains for me to speak of the third—THE HOLY SPIRIT. Now if you read the

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* Dr. Johnson; Bacon's *Advt. of Learn.*, bk. iv., ch. 3; see Milton's *Prose Works*, vol. IV., ch. 2, 14 (Bohn's ed.); Paley's *Nat. Theol.*, ch. 24; Gibbon, ch. 15, 21, 37, 47; Cary's *Dante* (tit. Anselm), n.

† See Gibbon, ch. 21; Milton, vol. IV., ch. 14, on the word *Person*.

‡ See 1 Col. v. 16; Milton, vol. IV., ch. 7; Gibbon, ch. 21, as to the Arian controversy thereon.

second verse of this chapter of the Book of Genesis you will find it thus written:—"And the Spirit of God moved upon the face of the water." Here you have, in the plainest words, the third—namely, the Holy Spirit. Few men, whose minds have been enriched with reflections on things divine, have thought more than Milton has done. Let us attend, then, to the outpourings of his lofty soul thereon:—

> ..... "Thou, from the first
> Wast present, and, with mighty wings outspread,
> Dove-like sat'st brooding on the vast abyss,
> And mad'st it pregnant."*

When we come, as we shall presently do, to the Institutes of Menu, and to the doctrine of the Hindoos hereon, we shall find the word *Narayana*.† In Sanskrit, and its derivative Marathi, *Nara* signifies the Spirit of God, and *ayana* the place of motion. Narayana or Narayan, therefore, signifies "the Spirit of God moving" on the face of the waters. There is here, I think, further proof of the many striking coincidences in our religious creeds.‡

Addison wrote in his happiest style when he penned the following:—"The existence of a God is so far from being a thing that wants to be proved, that I think it is the only thing of which we are certain." But Addison, remember, lived in the meridian blaze of Divine Revelation, which

> "Shed a lustre o'er his ennobled mind,
> Stronger than summer noon."

Others who enjoy not that glorious privilege, as we know from the prevalence of Buddhism and the like, do require proof of Him Whom we adore as our Creator and Preserver: and therefore I must go further in this direction; and say to you, that before the commencement of the Christian era the

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* *Par. Lost*, bk. i., v. 19, and bk. vii., v. 234.

† Ch. I.

‡ See Paley's *Nat. Theol.*, ch. 23; Dean Swift's *Sermon on the Trinity*; Novatian's Treatise on the Trinity; vol. IV. of Milton's *Prose Works* (Bohn's ed.), ch. 2 and 5, n.; and see Bacon's *Advt. of Learn.*, bk. iii., ch. 2, on *Divine Philosophy*.

Gentile world in the West (in the Jewish sense of the word Gentile) had no knowledge of a self-existent, eternal, almighty Creator and Preserver of the universe. As Lord Bacon well said—"What need had *Aristotle* of a God, after having once impregnated Nature with final causes?" (*Advt. of Learn.*, bk. iii., ch. 4.) The Israelite alone knew Him: and the Him Whom the Israelite knew was not the Him that the Christian knows. It was, indeed, the Jew's glorious privilege to know the God of Israel: but he quite mistook the nature of that kingdom which the Messiah was to found. The nation overlooked or forgot what their prophets had told them—that He was to be despised and rejected of men. Indeed, the Jewish nation relied solely upon those glorious predictions—that kings were to bow down before Him: and all nations were to do Him worship.*

"The philosophers of *Greece*," says Gibbon, "deduced their morals from the nature of man, rather than from that of God. They meditated, however, on the Divine Nature, as a very curious and important speculation: and in the profound inquiry they displayed the strength and weakness of the human understanding. * * * * The various modes of worship which prevailed in the *Roman* world were all considered by the people as equally true: by the philosopher as equally false: and by the magistrate as equally useful. And this toleration produced not only mutual indulgence, but even religious concord. * * * In their writings and conversation the philosophers of antiquity asserted the independent dignity of reason: but they resigned their actions to the commands of law and custom."†

It has been contended, indeed, that Plato had become acquainted with the writings of Moses. Judging from his *Timæus* I disbelieve it. Be that as it may, the theology of

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* Burton, ch. i.

† See ch. 2, 15, 16, and 20; Burton (tit. Manicheeism); Bacon's *Novum Organum*, ss. 65, 67, and 96; Pliny's *Nat. Hist.*; *Acts of the Apostles*, xvii. 16, 21.

Plato,* as *Gibbon* says, might have been for ever confounded with the philosophical visions of the Academy, the Oracle, and the Lycæum, if the name and the Divine attributes of the *Logos* had not been confirmed by the celestial pen of the last and most sublime of the Evangelists." And Lord Bacon says, "By contemplating and grasping at form totally abstracted from matter, and not as determined in it, he (Plato) turned aside to theological speculations, and therewith infected all his natural philosophy."

Grotius, in his well-known work *On the Truth of the Christian Religion,* informs us that he *(Plato)* "thought that the world had a beginning." He also tells us that *Aristotle* "had a persuasion that it had none." To speak plainly: in everything relating to the creation and government of the universe, all of them, from Socrates to Cicero, (the most enlightened period of antiquity in the Western world,) were lost in a labyrinth of learning. Cicero's own works, especially his *De Naturâ Deorum,* are enough, without more, to convince us of this. The great sects† into which the Greek and Roman philosophy were split up—the Stoic, the Peripatetic, the Epicurean, and the Academic—had their pet dogmas respecting the deity. St. Paul's visit to Athens, also, tells a clear tale of the vague notions that the disciples of Plato and Aristotle had arrived at respecting THE UNKNOWN GOD. The world, the sun, the moon, the stars, fire, water, air, fate, chance, and so forth, were their respective deities. Zeno (the Stoic) held that Nature was the Deity: Thales (the Milesian) that water was the origin of all things: Epicurus had his fortuitous concourse of atoms—his *semina rerum* or *atomic theory :* and Pythagoras had his pet theory that the Divinity was one soul mixing with and pervading all Nature: from which man's soul is taken. So vile and degrading were the notions of the Divine Nature in Plato's time that he forbade the reading of the Greek *poets,* from whom

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* Bacon's *Advt. of Learn.,* bk. ii., ch. 13.

† See *Advt. of Learn.,* bk. iii., ch. 4.

chiefly both Greek and Roman theology was derived. Suetonius also tells us that in the year 592 A. U. C. the senate at Rome passed a decree prohibiting philosophers and rhetoricians from residing in Rome. In few words, as Gibbon happily expresses it, "in the writings and conversation of the ancients, they asserted the independent dignity of reason: but they resigned their actions to the commands of law and custom."

Before taking final leave of the Greek and Roman philosophers, I propose to read to you an extract from Lord Bacon's *Advancement of Learning*:—"As all works," says he, "do show forth the power and skill of the workman, and not his image: so it is of the works of God, which do show the omnipotency and wisdom of the Maker, but not His image. And, therefore, therein the heathen opinion differeth from the sacred truth; for they supposed the world to be the image of God, and man to be an extract or compendious image of the world. But the Scriptures never vouchsafe to attribute to the *world* the honour as to be the *image of God*, but only the work of His hands. Neither do they speak of any other image of God but *man* * * Of man it is said *formavit hominem de limo terræ, et spiravit in faciem ejus spiraculum vitæ*: and not, as of all other creatures, *producant aquæ! producat terra!*" Bacon's work is full of the most profound reflections on creation. I regret that neither time nor circumstance permit me to extract more of it for your instruction.

LECTURE V.

THE CREATION.

I now return to the Hindoo cosmogony, the Buddhist, and other theories relating thereto: and you will see more clearly the object and force of my observations upon those of the Greek and Roman philosophers.

And first of all to the Hindu cosmogony. In *The Institutes of Menu* we read as follows:—

"5. This *universe* existed only *in the first divine idea yet unexpanded*, as if involved in darkness, imperceptible, undefinable, undiscoverable *by reason*, and undiscovered *by revelation*, as if it were wholly immersed in sleep.

"6. Then the *sole* self-existing power, himself undiscerned, but making this world discernible, with five elements and other principles *of nature*, appeared with undiminished glory, *expanding his idea*, or dispelling the gloom.

"7. He whom the mind alone can perceive, whose essence eludes the eternal organs, who has no visible parts, who exists from eternity, even He, the soul of all beings, whom no being can comprehend, shone forth in person.

"8. He, having willed to produce various beings from his own divine substance, first with a thought created the waters: and placed in them a productive seed.

"9. The *seed* became an egg, bright as gold, blazing like the luminary with a thousand beams: and in that egg he was born himself, *in the form* of Brahma, the great forefather of all spirits.

"10. The waters are called *Nara*: because they were the production of *Nara*, or *The Spirit of God*: and, since they were his first *ayana* or *place of motion*, he thence is first named *Narayana*, or *moving on the waters*.

"11. From that which is, the first cause, not the object of sense, existing *everywhere in substance*, not existing *to our perception*, without beginning or

end, was produced the Divine Male: famed in all worlds under the appellation of Brahma.

"12. In that egg the great power sat inactive a whole year of the Creator: at the close of which, by his thought alone, he caused the egg to divide itself.

"13. And from its two divisions he framed the heaven *above* and the earth *beneath:* in the midst he placed the subtle ether, the eight regions, and the permanent receptacle of waters."

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"32. Having divided his own substance, the mighty Power became half male half female—*or Nature active and passive:* and from the female he produced VIRAJ.

"33. Know me O most excellent of Brahmans, to be the person: when the virile *power* Viraj, having performed austere devotion, produced by himself me, the secondary framer of this *visible* world."

"This incoherence and absurdity," says the historian Mill, "is not the work of Menu nor of the author, whoever the person really was, of *The Institutes of Menu:* but of *Calluca*, its commentator." Professor Wilson is severe upon Mill for this rebuke: but—let the learned professor say what he likes—the riddle of the Sphynx was child's play to this rhapsody! The learned professor, also, says that it is not the best specimen. Be it so. It may not be the *best*, as he says, but it is, as far as I am able to judge, the best Brahmanical standard, or, more correctly speaking, the best specimen of Brahmanism. It is, I need hardly say, as far removed as light is from darkness, from that standard which is to be found in the Vedic Hymns, one of which I promised, a night or two ago, to read to you from Max Müller's book on *Ancient Sanskrit Literature:* hymns which leave no doubt of the purity of the Hindu religion before priestcraft set to work "to erect shrines, not only to the benevolent deities of light and plenty, but also to the fiends that preside over small-pox and murder." * Attend, I pray you, to the following sublime hymn:—

"Nor aught nor naught existed; yon bright sky
Was not, nor heaven's broad woof outstretch'd above.
What covered all? what sheltered? what concealed?
Was it the water's fathomless abyss?
There was not Death—hence was there naught immortal;

* Burke.

There was no confine betwixt day and night;
The only ONE breathed breathless in itself.
Other than it there nothing since has been.
Darkness there was, and all at first was veiled
In gloom profound—an ocean without light.—
The germ that still lay covered in the husk
Burst forth, one nature, from the fervent heat.
Then first came Love upon it, the new spring
Of mind—yea, poets in their hearts discerned,
Pondering, this bond between created things
And uncreated. Comes this spark from Earth,
Piercing and all-pervading, or from Heaven?
Then seeds were sown, and mighty power arose—
Nature below, and Power and Will above.
Who knows the secret? who proclaimed it here?
Whence, whence this manifold creation sprang?
The Gods themselves came later into being—
Who knows from whence this great creation sprang?—
He from Whom all this great creation came
Whether his will created or was mute,
The Most High Seer that is in highest heaven,
He knows it,—or perchance e'en He knows not."

I agree with Max Müller's commentary on this hymn—that there is a logic in parts of it that has never been equalled: and in force and fulness of expression, as regards the Infinite, beyond the reach of Art.

Having seen what the *civilized* world has to say about the creation of all things, let us now see what the *uncivilized* world has to say about it. In *Bishop Heber's* interesting *Indian Journal* we have an account of *the Paharrees,* or Highlanders of the East.* "The highland or hill people," says he, "offer up frequent prayers to one Supreme Being, whom they call BUDO GOSAEE: which, in their language, means Supreme God. Prayer to God is strictly enjoined morning and evening. * * * There are no idols or images amongst them * * * The Great God made everything." *Catlin,* in his interesting *Rambles* amongst the Choctaws, the Sioux, the Mandans, and other wild tribes in America, says of the Sioux:

* Ch. ix., p. 127; see also the *Calcutta Annual Register* for 1821.

—"They relate, with great minuteness, the traditions of the Creation. They say that the Indian race were all made of *the Red Pipe Stone* (which is exactly of their colour): that THE GREAT SPIRIT, at a subsequent period, called all the tribes together at *the Red Pipe Stone Quarry*, and told them that the red pipe stone was their flesh, and that they must use it for their pipes only." Other tribes, that he names, have a tradition that they were created under the water: and, says he, one-half, at least, of the wild tribes in America represent that man was first created underground, or in the rocky caverns of mountains. The Choctaws maintain that they were created *crayfish*: living alternately under the ground and upon it, and that some of their tribe are still living underground. I may observe, in passing, that the traditions amongst some of the tribes at the foot of the Rocky Mountains, as well as amongst those in the plains of Venezuela and the Pampa del Sacramento, respecting a GENERAL DELUGE, are very interesting and instructive.* Another observation I would make, be its worth what it may, which is this:—The word *Adam*, in the Hebrew tongue, means *red earth*. Again, the Araucanians, (the native Indians of Chili,) as we read in Molina's *Civil History of Chili*, acknowledge one Supreme Being, the Creator of all things. He is named *Vilvearhoe*. He is also called *Vilpevilvoe*, that is, the Omnipotent, and *Moliyelu*, the Eternal. To conclude with an instance, familiar to many of you, no doubt, from *Uncle Tom's Cabin*, by Mrs. Stowe. A negress of the name of *Topsy*, as you no doubt remember, was asked who made her: or how she came to be what she was? Her answer is said to have been—"Don't know, but 'spects I growed," or words to that effect. We strongly recommend this shrewd observation, together with the equally indisputable fact of turquoise stones, in Ceylon, growing at the sound of thunder,† to the Buddhist and Darwinist of our days, as an instance pregnant with the most

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* See the Rev. Dr. Fraser's *Blending Lights*, ch. viii.

† See Dr. Cumming's *Lectures*, p. 26.

profound philosophy, and as corroboration strong, as proof of Holy Writ, of the truth of their views of the material universe.

As to the *plurality of worlds*. Whether there are more worlds than this one, upon which we live and move and have our being, is a vexed question. I propose to say no more about it than this, namely, that the record of Moses, which we are considering, is, as far as one can judge, confined exclusively to the one whereon man was, in the beginning, placed by his Maker. There is nothing, however, in the Bible narrative of the facts and circumstances, as far as one can see, inconsistent with the theory of a plurality, or of another or of other worlds than this. And be pleased to remember that the plurality doctrine has for its supporters the names (amongst others) of Sir Isaac Newton, M. Fontenelle, Huygens, Laplace, Sir W. Herschel, Sir J. Herschel, and Sir D. Brewster. Dr. Whewell, late Master of Trinity College, Cambridge, in his treatise entitled *More Worlds than One*, calls for proof!

..... "Man! Heaven is for thee too high
To know what passes there; so, lowly wise,
Think only what concerns thee, and thy being.
Dream not of other worlds, what creatures there
Live, in what state, condition, or degree."*

I need scarcely, I think, remind you that this record of Moses has no reference whatever to the *new heaven* or to *the new earth* mentioned by St. John in the Book of Revelation: nor any reference whatever to the heaven which is the abode of the blessed.

..... "Here the cloud,
So wills Eternal Providence, sits deep.
Enough for us to know that this dark state,
In wayward passions lost, and vain pursuits,
This infancy of being cannot prove
The final issue of the works of God:
By boundless love and perfect wisdom formed,
And ever rising with the rising mind."

There is one of the many ATTRIBUTES of the Creator and

* *Par. Lost*, bk. viii., v. 172.

Preserver of the universe that I must speak of before I go further. I mean his *immutability*, or *unchangeableness*.

"There is not (says Bishop Sherlock) one attribute in the Divine Nature more clear and precise than this, namely, that His *Being* and *Perfections* are immutable. His actions are always the same when circumstances are the same. What sense is there in supposing that Immutable Wisdom must act, in all cases, how different soever, in the same way? The counsels of Providence are directed by unerring wisdom, but the same wisdom prescribes different measures upon different occasions. Miracles, of themselves, can be no proof of God's counsels being mutable, either with respect to the natural or the moral world: with respect to the natural, because suspending some one law of matter to serve some moral purpose is no proof that the counsel of God is changed with regard to the general laws and constitution of matter; nor in the moral, because miracles may, for anything that appears to the contrary, be useful to answer some moral end, and to serve the great purpose of Providence in some cases, and not in others."*

..... "The Universal Cause
Acts to one end, but acts by various laws." †

What was true in Lord Bacon's time still remains so, that all the natural history we have is absolutely unfit for the end we propose, viz., to build philosophy upon. ‡ It is, as he suggests, at best, but smoke, rather than a clear flame of truth. Moreover, many of our *modern geologists* seem to think that *Science* enables man to dispense with *common sense:* whereas it only enables him to employ it more profitably. § Of the three schools of *false* philosophy spoken of by Lord Bacon in his *Novum Organum*, namely, the sophistic, empiric, and superstitious, they belong to the empiric; and their dogmas, according to the same high authority, are "of the Idols of the Tribe;" of a certainty they are wonderfully forgetful of what the great Master of Experimental Philosophy has laid down—"Whoever too hastily catches at certainties shall end in

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* See Bacon's *Advt. of Learn.*, bk. i., on Creation; Butler's *Analysis;* "The Trial of the Witnesses to the Resurrection," by Sherlock, p. 160. As to the *Personality* of the Deity, see Paley's *Nat. Theol.*, ch. 23.

† Pope's *Essay on Man.*

‡ *Advt. of Learn.* ch. 3; and see his *Novum Organum.*

§ Whateley.

doubts: as he who seasonably withholds his judgment shall arrive at certainties."* Notwithstanding, it must be admitted that some have proceeded wisely: and in consequence stand out in high relief.

"In the beginning God created the heaven and the earth."

Now come the questions—*what* did He create? *why* did he create? and *out of what* did He create what was created?

"Creation," says *Milton*, "is either of things invisible or visible. The things invisible, or which are, at least, such to us, are the highest heaven, which is the throne or habitation of God, and the heavenly powers or angels." But, seeing that my discourse is confined to what is contained in the record of Moses, the proper answer to the first question is—He created the heaven and the earth. The heaven here meant is described in vv. 6, 7, and 8 of the first chapter of the Book of Genesis. The heaven created is that which divides the waters from the waters: and in v. 8 is expressly called *the firmament*." In the 33rd Psalm, vv. 6, 7, 8, and 9 of King David there is the same description of it. Moses, remember always, does not profess to record the creation of aught else than what is part of the present visible creation—that is to say, of the present material universe, and all that is contained therein or necessarily belongs thereto: and the heaven that he describes is the firmament which is a part of it.

2. *Why* did He create? "Other orders of creatures (says Bishop Butler) may, perhaps, be let into the secret counsel of Heaven, and have the designs and methods of Providence in the creation and government of the world communicated to them: but this does not belong to our rank or condition * * * to inquire with this expectation is not to inquire as a man, but as one of another order of beings." This sentiment, so modestly expressed, is worthy of the author of the *Analogy*—a work which Dr. Chalmers well describes as one of the richest contributions to moral science. In the Book of Revelation, by St. John, we read as follows:—

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* *Advt. of Learn.*, bk. v., ch. 4.

"Thou art worthy, O Lord, to receive glory and honour and power; for Thou hast created all things, *and for Thy pleasure they are and were created.*"*

3. *Out of what* did He create all things in heaven and earth? The answer is—He created all things *out of nothing! Ex nihilo nihil fit*—"Out of nothing nothing is made"—is a heathen maxim that has no application whatever to One of infinite wisdom and power. Of Him impossibility is not predicable: of man it is. When I come to speak of *man* and *the moral world* I will point out to you the essential difference that there is, in this respect, between man and other creatures—animate and inanimate. "It is a remarkable fact (says the learned *Grotius*) that no philosopher or writer of any school, before the appearance of Christianity, ever conceived the idea of God having made the world out of nothing. But, *wherever the Gospel was received,* this fundamental truth was, also, recognized: and the eternity of matter became, as it deserved to be, an exploded doctrine: which cannot consist with a sound and rational belief in the omnipotence of God.† *Milton,* I should inform you, asserts that all things are of God: but denies creation out of nothing. "Both Scripture and reason," says he, "concur in pronouncing that all things were, in the beginning, made out of matter,—matter not existing of itself from all eternity, but matter created of God."‡ Amongst the ancient Fathers, Lactantius, Tertullian, and Justin agree with Grotius: and so, amongst thousands of modern divines, do Tillotson, Beveridge, Secker, Newton, and Stillingfleet.

"Let no presuming impious railer tax
Creative Wisdom. As if aught was formed

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* *Rev.*, ch. iv., v. 11: *Acts of the Apostles*, ch. vii., v. 24; *Eph.*, ch. iii., v. 1; Tertullian *De Creatione*; Sale's *Koran*, ch. 22, 39, 44.

† As to the *Gnostic theory* of the eternity of matter and the Being that created the world, see Dr. E. Burton's *Hist. of the Christian Church* (tit. *Simon Magus*). There is a dissertation by *Proclus*, a very learned man in the reign of Justinian, against the Christian creed, as to the world's creation; but I have not seen it. See, also, Paley's *Nat. Theol.*, ch. 5, 6, and 23. See, also, Dr. Cumming's *Lectures*, 1, 2.

‡ Vol. IV., p. 178 (Bohn's ed.).

In vain, or not for admirable ends!
Shall little haughty ignorance pronounce
His works unwise, of whom the smallest part
Exceeds the narrow vision of his mind.
As if on a full-proportioned dome
On swelling columns heaved, the pride of Art,
A critic Fly, whose feeble ray scarce-spreads
An inch around, with blind presumption bold
Should dare to tax the structure of the whole."*

When we say that God is the cause of all things, we mean all such things as have a *real existence*. There is no reason why one thing may not be the cause of another. He worketh nothing in nature but by *second causes*.

When the Supreme Being formed the universe and created matter out of nothing, He impressed certain principles upon that matter: from which it can never (of itself) depart;—and without which it would cease to be. When He put the matter into motion He established certain laws of motion, to which all moveable bodies must conform.† This is the common mode of expressing our ideas of the *property*, *quality*, or *qualification* of a thing: for when we use the word 'law,' as the law of gravitation and the like, we use it metaphorically. But there is no expression thereon so correct or so truly philosophic as that of *Sherlock*, bishop of London:—"The *material world* (says he) is, like all machines of human contrivance, governed by necessary laws: and the constitution of it cannot be altered *by any power within itself*. But it is not so in the *moral world*. Man was originally endowed with properties of a different kind from that of matter. He has *a power over his own actions*—a power of improving or depraving his moral nature. * * * If the system of man is to be considered under the notion of one great machine, it must be considered as *a machine that has a power within itself* of putting itself out of order," &c.‡ It would be difficult to find in any book, except it be in Butler's

* Thomson's *Seasons*.

† 1 Black. *Comment.*, *Intr.*; Bacon's *Advt. of Learn.*, bk. iv., ch. 3; Paley's *Nat. Theol.* ch. 1, 3, 17, 23.

‡ Sherlock's "Trial of the Witnesses to the Resurrection."

Analogy, any sentiment equally happy as this is in bringing philosophy to bear upon religion. It is, one would think, enough to silence all objectors, or those who, as Paley expresses it, "refer everything to a *principle of order* in Nature,"* save and except, of course, those who assert that there is no such thing as *inanimate* matter: in other words, who assert, and who probably believe, that all matter is instinct with life or animation, with intelligence, and self-energy. I am here reminded of a passage in Voltaire's *Lettres des Anglais* attributing to Locke—the author of *The Conduct of the Human Understanding*—some such belief. "He (Locke) presumes to advance, but very modestly, the following:—'We shall, perhaps, never be capable of knowing whether a being purely material thinks or not.'" Now I have never been able to find this passage, or aught like it, in any of Locke's works; but supposing it to be overlooked by me (which I must suppose), there is still that grand distinction between man and other creatures which Bishop Sherlock lays down, namely, that man has *within himself* the power to alter, for better or for worse, his moral nature, and that *no other creature under heaven has any such power*.† Never, I pray you, forget this unerring test: and you may set the Buddhist, the Darwinite, the Gorilla-ist, and the Reign-of-Law-walla at defiance.

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* Paley's *Nat. Theol.*, ch. 5.

† See also Max Müller's Lect. IX., p. 335.

LECTURE VI.

ON CREATION.

In this our pilgrimage through this mighty maze—"A mighty maze, but not without a plan"—we have arrived at a spot of earth, if not with propriety described as "the battlements of bliss and knowledge," whence the universal eye might sweep the unbounded scheme of things, or the Delectable Mountain, whence with optic glass we might descry the Celestial City,* we have surmounted a height whence we may look back with satisfaction and forward with hope; for we have reached the height that overlooks the river that waters *the Garden of Eden*: where

> "Our two first Parents, yet the only two
> Of mankind in the happy garden placed,
> Reaping immortal fruits of joy and love;
> Uninterrupted joy, unrivalled love,
> In blissful solitude."

But before we take off our sandals to ford the sacred stream, let me invite you to take a last look behind you: for, as expressly revealed to us, this heaven and earth, that now are, will, in the twinkling of an eye, pass away, and all things will be made new.†

"Heaven and earth shall pass away, but my words shall not pass away. But of that day and hour knoweth no man, no, not the angels of heaven: but my Father only."

"Whoso is wise will ponder these things." ‡

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* *The Pilgrim's Progress.*

† Matt. xxiv. 35, 36; Mark xiii. 24, 32; Luke xxi. 32, 33; Rev. xxi. 1–4; 1 Cor. xv.; Psalm 102.

‡ 107th Psalm.

As to the *when* and the *how* of this mighty change, the *nature* of the new heaven and the new earth, I do most earnestly recommend the 3rd and 4th lectures of Dr. Cumming to your attention.

Now let us imagine ourselves, for the moment, to have arrived safely in our pilgrimage through this world of wonders at *Kurnah*—that is to say, at the junction of the rivers Euphrates and Tigris. Tradition assigns this place as the holy ground where our first parents lived. It is about 140 miles from the sea. After the point of junction the river goes by the name of Pasitigris or Samarra or Shat-el-Arab. Eden, in Hebrew, signifies a place of delight: in Arabic, a place fit for the pasturage of flocks.

"*The creation of man* (says the Rev. Dr. Fraser) has its place in the legends of Greece, in the beliefs of India, in the cosmogony of Peru, and in the traditions of the tribes of North America, of the South Sea Islanders, and of the Dyaks of Borneo.

"*The Garden of Eden* has its counterpart in the city of Brahma, as described by the Vishnu Purana: it has its representation also in the Grecian fable regarding the garden of the Hesperides, with which every well-taught schoolboy is familiar, and the encircling of the garden by high mountains, the golden *apples*, the mysterious *tree*, the watchful *serpent*, the destruction of the serpent by Hercules, and the relation of Hercules to Jupiter, are obviously suggestive of the Scripture narrative."

The learned author goes on to detail the legends of different countries, ancient and modern, in civilized and uncivilized life, of man's temptation and fall: of the deluge: of expiatory sacrifice, and the like: which constitute, as he says, a cumulative argument not only in favour of *one* race: but of the truth as contained in the Mosaic record—apart from which their prevalence is utterly inexplicable.

In a former discourse I told you, in part, what the Zerdusht, Zoroastrian, or Parsee *tradition* says about it. It is known to

them by the name of *Airyanam Vaejo* :* and its *venue* is, say they, on Mount *Alburz*, in Central Asia. It is called in the Vendidad of the Zend Avesta "*a creation of delight.*"† But the mystical language of the Avesta seems to defy interpretation: and the *Sháhánama*, whence, probably, the tradition is derived, is not by a Zerdusht, and is a work of fiction.‡ So that, beyond the fact that on the creation of the corporeal world, a "*creation of delight,*" in Central Asia, was the abode of our first parents, is all that can be fairly inferred. Now there are two mountains of the name *Alburz* or *Elburz*. The one is a part of the Caucasus range of hills between the Caspian and the Black Seas. The other is at the western extremity of a range of mountains running from east to west southwards of the Caspian, and extending to *Mount Ararat*, in Armenia in the vicinity of which springs one of the main feeders of the river Euphrates.§ We have, then, according to Zoroastrian tradition, a Garden of Eden or Creation of Delight, (call it by what name you please,) on the banks of the river Euphrates: and that, as it appears to me, is amply sufficient to identify it with that of the Bible.

Let us now turn to *the Koran*: and see what the Mahometan's idea is about it. In a note to Sale's edition of the Koran it is said that the prophet (Mahomet) did not place *the Garden of Eden* or "Place of Delight" on *earth*: but in the *seventh heaven*. Undoubtedly the context fairly warrants this inference. But if we take out of the text the words interpolated in italics by the translator, (a grave error committed by Sir W. Jones and others as regards Menu and other Hindu

* Airyanum vaêjô, *areanum semen*, the *Aryan* seed. The position of this country, is "the highest elevation of Central Asia," and is called their seed The Aryans advanced towards the south and west: and occupied *Airya*: the character and extent of which Max Müller minutely delineates. The modern name of Persia is *Irán*, and probably *Armenia* is so derived. Some think that *Erin* (Ireland) has its root there too.—Max Müller, p. 226.

† See *antè*, p. 41: and Fargard L., u.

‡ Shekha Sádi.

§ See Herr Benjamin, tit. Sachee.

works,) and give some allowance for Orientalisms in style, the garden of the Koran does become, as it appears to me, the self-same garden as that described in the Book of Genesis. Indeed, any other construction would seem to involve many contradictions: above all, this—that man, formed out of the dust of the earth, with dominion over all things on earth given to him, with a command to till the ground and get his daily food from it, was not to dwell on earth, but in heaven—and that, too, the heaven remotest from this earth! Again, if our first parents were not actually on this earth when they disobeyed, how could the serpent, which was clearly one of the animals existing on earth at the time, have had the opportunity of tempting them! In few words, this note is wholly irreconcileable with many other parts of the Koran: more especially with the contents of chapters 35 and 76. In another note to the same book, we have an amusing narrative anent the domestic life of our first parents. The legend is to this effect:—That when they were expelled—if I may be allowed the term—Adam landed on this earth, with one foot on the *Pico di Adam*, or Adam's Peak, in Ceylon, and the other, a few leagues off, at sea. Eve, on the other hand, landed near Jeddah, the port of Mecca, in Arabia: her head resting on Mount Ararat,—not the Mount Ararat in Armenia, but *Kazah* in Arabia,—and her knees, as the legend graphically describes her status, in two other places about two musket-shots asunder. That after a judicial separation—*a mensâ et thoro*—from bed and board, for about two hundred years, the angel Gabriel—no doubt, as *amicus curiæ*—effected a reconciliation. Whereupon Adam, young and lusty as an eagle, flew with the rapidity of lightning across the wide ocean to embrace his long-lost wife. He carried her off on the wings of the morning to his island-home, Serendib, to spend the honeymoon: and Serendib, now Ceylon, became the cradle of the human race. I recommend this legend to men of modern science; for, if true, the Cingalese, and not the Hebrew, nor the Zend, nor the Sanskrit, nor the Tamil, still less the Telugu, is the mother-tongue of the great family

of man. (*Note.*—Pico di Adam, or *Adam's Peak,* is said still to bear the impress of Adam's foot.)

And now to the Hindoos and Buddhists. According to the Hindu cosmogony, which I read to you from the Institutes of Menu, he (Menu) was the son of Brahma, and was the first of the family of man: hence the term *Mânaváh,* that is, mankind. Note, it was the 7th Menu ("the child of the sun") that was saved in the Ark, at the general deluge.* But I have failed to find a trace, even of a vague tradition, as to the precise spot of earth where he was placed. Seeing their belief in this origin of the human family, their traditions also about Adam and Eve, of the general deluge, and the like, I myself entertain no doubt whatever of what I have had occasion to say to you frequently—that when we have made more progress in Hindu literature than we have, the two accounts of the world's creation will be reconciled. One thing, however, is beyond all doubt—that neither *Darwinism* nor the *many-centre* hypothesis of the world's population, to which I shall by and bye refer, have any place whatever in Hindu philosophy.

The Buddhist theory may be dismissed by a single stroke of the pen: for they emphatically deny a Creator and Governor of the universe. What he believes is that a gorilla, an ape, or a monkey, or, as Sir John Lubbock expresses it, "a creature not worthy to be called a man," spontaneously "*grew*" into a man: as Topsy, in *Uncle Tom's Cabin,* "speckts she grew" into what she was. So that, *ex concessis,* each and every prickly-pear, bamboo, or banyan tree, under the shade of which this act of spontaneity or self-procession or self-energy—call it by what name you please—took place, is man's Garden of Eden or Creation of Delight. Indeed, it may be that we ourselves are, at this very moment, without knowing it, on the very spot where such a new birth has more than once, in the tract of time, occurred; for it is not many years ago that this place was in reality, as it is by name now, a wilderness: and the resort of

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* Sir W. Jones's Pref., and p. 56, *ante*.

many a jungly *janiwar*, as the occasional howl of a hungry jackal reminds us of.

Now one more lance with my old friend—the modern geologist. Of course, all is a fiction in his sight. "Look," says he, "at the howling desert! a Paradise indeed! Moreover, the river that went out of Eden to water the garden is not now parted into *four*—Pison, Gihon, Hiddekel, and Euphrates—but *three* heads only. This last argument the sceptic gloats over! Admitted that the place is now a howling wilderness, the feeding-ground of pigs and pelicans—admitted that there are not *four*, but only *three* rivers: what then? the cause of its present desolation is self-evident, except to him that will not see. Again, would you infer from the ruins of Nineveh, Babylon, Thebes, Athens, and of Rome, many of them infested by nothing but serpents and scorpions and wild beasts, that such cities never existed. Has not the very site of Troy itself baffled discovery? Is not Tyre, the crowned—once the seat of merchant princes—now but a place for the spreading of nets? Again, it would be just as logical, just as rational, to say, because there is now no gold nor bdellium nor onyx-stone to be found there, that there were none there before the deluge. And yet this is the logic employed by the sceptic! Lastly, I would observe, on this head, that if a deluge be conceded,—universal, general, or even local,—not only the possibility, but the probability of great physical change in those parts must be admitted. The course of the Indus and the Ganges, and of many other mighty rivers in India, is enough to satisfy any reflecting mind of this fact. Nay, take even a map of the island of Bombay of the last century, when people washed their feet in salt sea-water at Powdhonee Kna, before the Vellard was constructed and when Colaba was an island: compare it with one of our own day, and you will be satisfied as to the magnitude of the changes brought about by mere human industry, apart from such great convulsions of the elements as some of those that have been mentioned.

In conclusion, if the spot on earth where man first set foot be not where Moses and tradition have placed it, where was it? The time is passed for men, laying claim to the dignity of science, to skulk behind a congeries of crafty negatives. Remember, no amount of negatives can ever make an affirmative.

LECTURE VII.

THE CREATION.

Sir James Mackintosh, our late learned Recorder, in his Ethical Dissertations, says:—"The purpose of the *physical sciences*, throughout all their provinces, is to answer the question—*what is?* the purpose of the *moral sciences* is to answer the question—*what ought to be?*"

The fatal error of modern men of science consists, as I am disposed to think, in setting at defiance this broad and almost self-evident distinction. In all experimental sciences the first speculators necessarily labour under great disadvantages, and even in their failures are entitled to respect—often, also, to great praise. But the modern geologist, because of the abuse he makes of the scanty materials that he has collected, does not elicit praise for his labour, except from the unthinking; on the contrary, he excites alarm at the consequences of his rashness. Not content with the few facts that he has collected, and with adding more and more to the general store-heap wherewith, when a fit architect is found, to erect a building that would stand the test of time: he, in his reasoning pride, either sets to work to build another Babel, that is to reach to heaven, or he rushes into the skies: where he has, of late, built many a castle more airy than the air itself.

Whether the laws and constitution of the *material world* being known, we can, by analogy, arrive at the laws and constitution of the *moral world*, I stop not to consider. It may be, and the probability is, as Bishop Butler says, that "there is a much more exact correspondence between the natural and

moral world than we are apt to take notice of. The inward frame of man does, in a peculiar manner, answer to the external condition and circumstances of life, in which he is placed." As regards this correspondence, I would particularly recommend to you Milton's tractate on *The Christion Doctrine of God**; Chalmers' *Moral Constitution of Man*†; Farrar's *Essay on the Origin of Language;* and, if within your reach, the Bridgewater Treatises, of which Chalmers' work forms so remarkable a volume. Some of them, if not all, are in Bohn's Library Edition: and are to be found, in that form, in our public libraries.

Now let us again unfold our chart—the Book of Genesis.

"And God said, Let Us make man in Our own image, after Our likeness: and let them have dominion over," &c. * * "So God created man in His own image, in the image of God created He him: male and female created He them * * And God saw everything that He had made, and behold, it was very good. And the evening and the morning were the sixth day. * * He rested on the seventh day from all his work which He had made."

You cannot help observing, in the words just read, a marked difference, when they refer to the creation of what precedes the creation of man, and when they refer to the creation of man. "Let there be light, and there was light;" "let there be a firmament," and so on. Whereas on the sixth day the words are—"Let Us make man in Our own image after Our likeness," and so on. The difference, as Lord Bacon expresses it, between the *producat* of things and the *formavit* of man. The essential difference between them may be more plainly seen in this:—

1. That God created the heaven and the earth out of nothing:—"Let there be light, and there was light."
2. That God made man out of the dust of the earth.

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* Vol. IV., p. 18.

† p. 268.

3. That God made man in His own image after His own likeness.
4. That God breathed into man the breath of life, and he (man) became a living soul.
5. That male and female created He them: and blessed them: and called *their* name Adam *in the day when they were created.*

"As yet," says *M. Figuier* in his work entitled *The World before the Flood,* "as yet creation had not achieved its greatest work: a being capable of comprehending those marvels, and of admiring the sublime work: a soul is wanting to adore and give thanks to the Creator. And God created Man."

"It is evident that the course of things which comes within our view," says Bishop Butler, "is connected with somewhat past, present, and future beyond it. So that we are placed, as one may speak, in the middle of a scheme: in a fixed, but progressive one * * * how it came to pass that we were placed in such a condition as this would be beyond our comprehension, if Revelation did not reveal the secret to us."

And Pope, in his *Essay on Man,* says:—

> "There must be somewhere such a rank as man:
> And all the question (reason e'er so long)
> Is only this:—if God has placed him wrong?"

I cannot remind you too often, when touching upon the work of creation, of Dean Swift's admirable discourse wherein he tells you that the Bible requires you to believe only in *facts*—not in the *manner,* which is the mystery of them. Apply that admirable reflection to the creation of man: and you will have no difficulty.

God created Man! *What is Man?* Before answering the question, which, probably, none of you ever put to yourselves, I must deal with the sceptic theory about the *unity* of the human family—or, more properly speaking, the *non-unity* of the human race. That there were more *centres* than one is a theory that has had, I admit, and that has, many famous advocates: amongst others Vossius, Cuvier, Niebuhr,

Humboldt, Klaproth, Grimm, Vans Kennedy, and *semble* Farrar. What unfounded theory has not had its famous advocates? Pritchard says of the treatise of one of them—"it displays extensive learning and diligent research, but is scarcely mentioned without ridicule." The more we study language, which is the true pedigree of nations, the more we are assured of the unity of the human family. The time is not far distant, for instance, when no affinity whatever was asserted to be traceable between the Sanskrit, Greek, Latin, German, and Celtic languages: whereas it is now clear to demonstration that they all belong to the Aryan branch of the family of man.* And the idioms of the family of Polynesia, Iceland, and Ceylon are now recognized as cognate dialects.† *Pritchard,* in his *Celtic Nations,* too, well observes:—"The objection to the Mosaic narrative implies that the world contained, from the beginning, not three or four, as some writers are willing to believe, but some hundreds, and perhaps thousands, of different human races * * * The advocates of a *pre-Adamite* or *antediluvian* theory (call it by what name you please) ought at least to furnish us with some account of the first existence of our species, which does not imply events, at least, equally miraculous. Unless the events, which certainly took place, can be understood in a different way from that in which the Sacred Scripture represents them, we may rationally adhere to the whole of the same testimony, as involving the operation of no other causes than such as are both proved, and are sufficient to account for the phenomena. And I heartily concur in what *Sir H. S. Maine,* in his *Early History of Institutions,* says:—"It is to be hoped that contemporary thought will, before long, make an effort to emancipate itself from the habit of levity in adopting theories of race, which it seems to have contracted. Many of their theories appear to have little merit, except the facility which they give for building upon them inferences

* See Heber's *Journal,* ch. ix., as to the *Paharrees* or Highlanders of Rajmahal and Boglipoor.

† Max Müller's *Lectures,* pp. 52, 133.

tremendously out of proportion to the mental labour which they cost the builder. This is particularly applicable to Farrar's *Essay on the Origin of Language*, ch. x.

Before leaving this head of my discourse, I would refer you to an interesting passage in Bishop Heber's *Journal*, ch. vi., on the origin and language of Gipsies in India, Persia, and Europe.

The passages in the Old and the New Testament, to the effect that all nations upon the face of the earth are of one blood, are too well known to you, and too numerous to be read now; I may, however, refer you to Genesis xi. 1; the Acts of the Apostles xvii. 23, 28.

I may mention to you that on the conquest of Algeria by the French, not half a century ago, the *Autochthenes* and *Indigenæ* theorists—that is to say, the advocates of the theory of different races for different nations, as opposed to all of us being in common the descendants of Adam and Eve—met with a fearful fillip, or, as we boys used to say, a rap over the knuckles. Up to that time the *multiple-centre* was all in all: because no one knew aught about the native tongue. And because nothing was known about it, some of these men boldly assumed, and asserted, that there was no affinity whatever between this unknown tongue and ours. Alas! when the light of civilization was brought to bear upon the languages of the Kabyles, Tuariks, Siwaris, and Canary Islanders, what was found? Why, that the language was *Semitic!* Half ashamed of their defeat, they gave it the name of *semi-Semitic!*

From these and such-like well authenticated facts, I am disposed to think, in common with Dean Swift, that if the world were brought within the pale of civilization, and the affinity of all languages under the sun established, modern men of science would be found, in shoals, to contend for another centre, either in Utopia, Formosa, or the Flying Island. I pray you, keep Max Müller's manly sentiment in mind:—"The impossibility of a common origin of language has never been proved, and it is rash (to the last degree) to

speak of different independent beginnings in the history of human speech before such argument has been brought forward to establish the necessity of such an admission."* As regards the unity of the family of man, I advisedly confine myself to the test of language,† and carefully avoid the question—What is the name of the primitive language? I need scarcely tell you that it is only one of several modes of proof. Bodily structure, mental endowment, and the like, fully corroborate it. Professor Owen's lecture thereon, delivered before the University of Cambridge, may be read with great advantage; and I earnestly recommend to you chapter viii. of the Rev. Dr. Fraser, who reviews the whole subject with a master-mind. Lastly, do not go away, I pray, with the idea that this dispute about the unity of the great family of man is a Big-Endian controversy. It involves all that is good and glorious in man. "Love thy neighbour as thyself" is only one of its many heavenly maxims. Now, Napoléon I. is reported to have said—"Scrape the varnish off a Russian, and you come at a Cossack." So say I—Scrape the varnish off this patent principle of different centres, (for a principle takes varnish as easily as a thing material,) and you come to what? to Love? Love indeed!

> "Love is a feeling from the Godhead caught
> To wean from self each sordid thought!"

You come to Buddhism or Darwinism—you come to envy, hatred, and malice, and all uncharitableness. It is not for us to investigate the counsels of the Almighty One: but this is clear—that from the late direful visitation by famine a brotherly love, between our brethren in England and our Aryan brothers here, has sprung up, unfelt before. The cold, selfish, heartless fellow-man that can ascribe the boundless generosity, during the awful crisis, to any other motive or cause, may continue to do so. May such a one experience, should

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* Lect. VIII.

† See Dr. Cumming's Lecture II.; Max Müller's *Lectures;* Farrar's Essay.

calamity fall upon himself, what he proposes for others! Every well-informed native is more and more convinced that he has in every Englishman a brother. Nay more, he begins more and more to pride himself in the thought that his native land is the cradle of all the races in the Western world! especially of that branch of his family which has spread civilization to the extremity of the globe.

LECTURE VIII.

THE CREATION.

GEOLOGY, or the science which is conversant with the creation, the earth's structure, and the like, has made, especially during the present century, amazing progress; yet, withal, the known bears little proportion to the unknown. In the infancy of the science—as is the case, more or less, in all experimental sciences, from partial, and consequently from imperfect knowledge of facts,—deductions, not always creditable to either the head or the heart, have been insisted upon, with a hardihood only equalled by their absurdity. On the vantage-ground of Time, and at the confluence of a greater number of streams, of such kind of knowledge, than ever met together before, we have every reason to believe that *speculative science* or *empiricism* is giving way to *experimental philosophy;* and, what is more to our present purpose, that every fresh step in advance tends to demonstrate the truth thereon as it is revealed in the first chapter of the Book of Genesis.

* * * *

The treatises thereon that I would particularly recommend to you are—Hugh Miller's *Testimony of the Rocks;* Lange's *Commentary on Genesis;* Pratt's *Scripture and Science not at variance;* Smith's *Chaldæan Account of Genesis,* and *Assyrian Discoveries;* Figuier's *World before the Flood;* Paley's *Natural Theology;* and Dr. Cumming's *Lectures.* As to *man,* as the minister and interpreter of nature, see Bacon's *Novum Organum,* Aphorism 1. I propose to leave the details of The Work, if I may so express myself, to your own reading and reflections at home. Most of the books recommended, if not all, are in our libraries

and within reach; otherwise I would not have named them. Besides, were I myself to attempt any exposition, I should depart from our proposed plan of instruction: and, of a certainty, I should get far beyond my depth in physical science. My observations, therefore, will be of a *general* character: and will be chiefly directed to the objections that have been raised against that part of the writings of Moses which relate thereto.

The modern geologist ("a man that looks for truth in his own little world, and not in the great world without him")—the modern geologist seems to reason thus:—"Looking (says he) at the earth's structure and the like, the *causa causans*—be it what it may—*must* have taken millions of years to produce such a result: and, therefore, the Hexemeron, or *the six days' creation*, as recorded by Moses, is a fable.* *Must* have taken millions of years! Bold language this! but, startling as it is, it is not—with regret be it said—uncommon in this fast age: for he has lived with little observation who does not know that such-like assertions do flow very freely from novices in every experimental science: or, as Aristotle expresses it—"Those who take in but few considerations easily doubt," and the less they are troubled with qualms of conscience in matters of religion, the less restraint is there, in general, upon the tongue or pen. To some sceptics indeed, of a higher order of intellect, *Dr. Johnson's* remark may be more appropriate—"It is the great failing of a strong imagination to grasp greedily at wonders." Lord Bacon believed in the record of Moses. Dr. Draper does not! How true is the remark—"It is the minor genius that mutinies against the truth: he affords it one glance and has not patience for a second." What said Sir Isaac Newton—"*What do we know of the primitive day?*" According to Hindoo chronology one day of the Creator is 4,320,000 years.

"The apotheosis of error is," says Lord Bacon in his *Novum Organum*, "the greatest evil of all: and, when folly is worshipped it is, as it were, a plague-spot upon the understanding. Yet

* See Dr. Cumming's Lect. I., II.

some of the moderns have indulged this folly with such consummate inconsiderateness, that they have endeavoured to build a system of natural philosophy on the first chapter of Genesis, the Book of Job, and other parts of Scripture: seeking thus the dead amongst the living. And the folly is the more to be prevented and restrained, because not only fantastical philosophy, but heretical religion, spring from the absurd mixture of matters divine and human. It is, therefore, more wise soberly to render unto Faith the things that are Faith's. * * * May they (adds he), who are now divided, direct their united forces against Nature herself; and, by taking her high towers and dismantling her fortified holds, enlarge, as God will permit, the borders of man's dominion!" *

There is a very remarkable passage in Hugh Miller's *Testimony of the Rocks*. It is, in effect, this,—namely, that at the end of each of the six days of the creation (be their length what it may) it is said—"The evening and the morning were the *first* day," and so on to the *sixth*: then come the words—"God rested on the *seventh* day." The author's inference thence is—that the seventh day is still going on. That, having made man, the Creator rested on the seventh day from material creation: and that this is the Sabbath-day: wherein He is carrying on man's redemption and salvation. The idea seems to be original, whatever we may think of it as a contribution to the science of natural theology.

In my humble judgment it is to the *philologist*, and not to the *geologist*, that we must look for a solution of the problem. When we come to know more, than we do now, of the Hebrew tongue, as spoken and written in the time of Moses, "hostile theories will correct each other, the scattered elements of truth will cease to conflict, and begin to coalesce: and at length a system of religion and philosophy be educed out of chaos."† You have a right to ask me why I have lost all confidence in

* *Advt. of Learn.*, bk. iv, ch. 1.

† Macaulay.

the modern geologist. My answer is ready:—because the history of the so-called science teaches us, in every page, a lesson of downright distrust,—not of doubt or caution, but of positive distrust,—more especially whenever any question affecting the Bible is concerned. Apart from the provocation arising from the vexatious proceedings of the Church of Rome taken against such men of genius as Copernicus, Galileo, and others, Religion, *per se*, seems, for some reason or other, to disturb the equanimity of some persons in a way, and to a degree, that no other subject seems to do. Does not, permit me to ask, every new discovery of this sort displace, more or less, an old one? and by displacing of suspending it impliedly condemn, as false or chimerical, its exploded predecessor? as Zeno called Socrates "the Attic buffoon:" do not the modern men of science speak of one another in the same derisive manner? Is not the pet theory of the day often the laughing-stock of the morrow? I speak not of the renowned disputations of the sages of *Brobdignag* respecting the *moral entities* of *Quinbus Flestrin*:* still less of such truly scientific discoveries as those of the telephone, the phonograph,† or the microphone.‡ I allude to such exploded discoveries in science as witchcraft, judicial astrology, and the philosopher's stone. Have they not been, in turn, the favourites in the hobby-horse bazaar, or, as Lord Bacon classes them, in his *Novum Organum*, "Idols of the market"? The *nebular hypothesis* was all in all in the scientific world until the bright star of 'Newton rose above' the *nebular* horizon: and then that once marvellous discovery in *nebular* science, like the baseless fabric of a vision, went out of the system. What, I pray, has become even of Galileo's pet theory about tides, Descartes' vortex, and even of the great Sir Isaac Newton's theory of colour? And, more immediately affecting our present purpose, what has become of Voltaire's sarcastic sneer, that there could be no light before the sun was visible? I will tell

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* See *Gulliver's Travels.*

† Edison.

‡ Hughes.

you what has become of such things—they all belong to what Max Müller classifies under the title of Bow-wow theory, or Pooh-pooh theory : * and are gone, one after another, either to a toy-shop in John Bunyan's Vanity Fair, or to those godowns where, as I have had occasion to tell you before, Ariosto says are stored in heaps all the lost trumpery of the world, such as lost pins and needles, lovers' sighs, the dreams of dotards, and the like.

It was somewhere about the same enlightened period of the history of natural science that a tiny little mouse (we have it upon *Butler's* authority—contemporaneous authority !), either in pursuit of science or of something to eat, (I take not upon myself, as at present advised, to say which,) lost its way: and got, by design or accident, into one of the Royal Society's telescopes. Whilst it was struggling to get out, (for, mouse though it was, it soon made the discovery, being a mouse of science ! that it had got into a wrong box,) one of the *savants*—one *Sidrophel* by name, happened to come, as he was wont, to have a peep into the moon: just to see how things were going on in that remote part of creation: when lo and behold! he saw—I beg pardon—when he *discovered*—that the moon is not made of moonshine, but of real substance, and was densely populated. Nay more,—for discoveries in natural science, like accidents in life, come not single spies, but in battalions,—he discovered that the aforesaid peoples or tribes were armed to the teeth, not with bulrushes for the mastery of a fen, (for fens there are in the moon, if Sidrophel is to be believed,) but with true and trusty Toledo or Damascus blades, fighting, after the manner of some terrestrial beings, for universal empire. What was the end of this famous mouse,—whether he she or it —gender being at present unknown—died a natural death, or was violently put to death to appease the demon of science, I am unable to report; for the Royal Society's records are sealed to outsiders. Certain it is that the day whereon the discovery was made by the immortal Sidrophel that the moon was

* Lect. IX., p. 344.

inhabited, has ever since been a high-jinks or red-letter day in the Royal Society, London.

One more instance of the sort and I am done. Not long ago the knee-bone of *Ajax* was found in his tomb, which, as the European classic scholar will remember, overlooks—if such a thing can be—the Dardanelles, on the borders of which at this moment many a hero, as brave as Ajax, lies unburied and bleaching: victim to the demon of discord, or, it may be, to some new discovery in political science.* This said knee-bone was exhibited before the scientific world, and pronounced by the men of science to be a wonder in its way. I am not quite sure (not being of Her Majesty's Council) whether the great discoverer was not dignified with some order of merit on the occasion. Be that as it may, the conclusions of the men of science anent it were—that there were giants in the days of Ajax! and, as a logical deduction, that Ajax was a giant! a giant as compared with whom Albion, Jack the Giant-killer, Blunderbore, Thiudal, and Galigantus were babes. But Time, the great prover of all things, the master-hand that puts things right that are wrong, made it as clear as the sun at noon-day (a fact now universally admitted!) that the aforesaid knee-bone of the giant Ajax was and is nothing more or less than the patella of an elephant! One may, methinks, without offence, say of this man of science, what Johnson said of Boswell—"A fellow who had missed his only chance of immortality by not having been alive when the *Dunciad* was written."

And now to the authority of others: corroborative of my views.

The Rev. Dr. Fraser, in his admirable work entitled *Blending Lights*, says:—

"The sublimity of this brief description ('Let there be light and there was light') has often been lost amid the sneers of the infidel and the atheist. 'How could there be light before the sun?' was one of the triumphant questions which Voltaire

* *e.g.* Russo-Turkish War, 1878.

and his followers rarely failed to press upon the Bible student * * * But the mystery has been receding, as discovery has advanced. That there may be light without the visible sun is now admitted * * * The arrogant charges of ignorance, once so freely made, have almost ceased."

Again (says he*), "The Scriptures were ridiculed by infidels because they taught that the sun had a path of its own in the heavens.† * * * Appearances disapproved this assertion, and early astronomy gave it a direct negative; but it is now known to be literally true. The sun of our system is on his long journey around his far-off centre: and we move in dependence on his light. The ridicule has ceased: and the weapons which the sceptic drew from the 19th Psalm have fallen from his hand, only to be uplifted by the believer, and wielded not merely in unexpected defence, but in vigorous assault."

In chapter 11 he narrates the circumstances of Mr. Leonard Horner's famous discovery in the Nile deposit (1851) of some fragments of burnt brick: to some of which he (Mr. Leonard Horner) ascribed an age of 12,000 years: and to others 30,000 years. It has since been demonstrated by Sir R. Stephenson and Sir C. Lyell that they are of the time of *Mohammed Ali!!* Such "preposterous absurdities" need only to be mentioned to be despised.

One more instance from the same excellent work and I am done. In 1798 General Bonaparte entered Dendera, in Central Egypt: and took away, amongst other things, the ceiling of the temple there. The Paris archæologists came to the conclusion that the temple had been erected 17,000 years before the Christian era. Hundreds of thousands flocked to the National Library to see this antediluvian monument. But when the hieroglyphics came to be properly deciphered by Dr. Young and Champollion, they turned out to be the names and titles of *Augustus Cæsar!*

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* Ch. 5.

† Psalm xix. 4, 5, 6.

me of common sense, what reliance can be placed trash, such "loose faggots, such mere groping in *

saac Newton, not long before his death, uttered this rable sentiment:—"I do not know what I may appear to world, but to myself I seem to have been only like a little oy playing on the sea-shore, and diverting himself in now and hen finding a smoother pebble or a prettier shell than ordinary : st the great ocean of truth lies undiscovered before me." D. Brewster, his biographer, comments thereon thus :— hat a lesson to the vanity and presumption of philosophers ! ose especially who have never even found the smoother le or the prettier shell! What a preparation for the latest quiries, and the last view of the decaying spirit : for those spired doctrines which alone can throw a light over the dark ean of undiscovered truth."

Having demonstrated the relation between Religion and ience, I propose to inform you how the *feud* between the lievers in Holy Writ and the students in the works of ation originated.† Dr. Close, Dean of Carlisle, in a lecture Hugh Miller's *Testimony of the Rocks*, says :—"It commenced the mediæval or dark ages : when Galileo and others were ade prisoners to the Inquisition for thinking on astronomy therwise than the Franciscan and Dominican licensers hought." I quite agree with the learned dean as to the cause an anathema, by the bye, not withdrawn!) of this hostile feeling. agree with him, also, in saying that it is a *prejudice* to be moved. But how is it to be removed? Prejudices are to owledge what ill weeds are to a garden—do what you will, ey crop up again. Still, to give in is, to say the least of it, nmanly. No expense or time or pains must be spared to uproot r destroy them, for the sake of the good that is left. Some ne of my audience may, probably, be disposed to say—"Why esort to ridicule in preference to reason : to accomplish your

* Bacon's *Novum Organum*, bk. xi., s. 82.

† See *ib.*, s. 89.

object?" Why venture to treat with indignity me[illegible] wide reputation—such as Sir C. Lyell, Sir J. [illegible] Lamarck, Darwin, the Duke of Argyle, Wallace, [illegible] Draper, and others—a class of men preëminently distin[illegible] for scholarship and character: men as sincere in [illegible] views as they are enlarged in their minds: and as good as [illegible] are enlightened." My answer to such an inquiry, which is a very proper one, is this:—that no offence is intended. A weapo[illegible] for offensive or defensive warfare, be it physical or m[illegible] physical, must be suited and tempered for the service intend[illegible] and ridicule, or what the logicians term a *reductio ad absurd*[illegible] (which is a species of it,) has proved itself to be one of eth[illegible] temper: as Milton—the controversialist of controversialis[illegible] expresses it—"has a strong and sinewy force in teaching an[illegible] confuting." History assures us of the fact that ridicule ha[illegible] dethroned monarchs: while reason had failed to bring them [illegible] their senses. For instance, it has been said, and with cons[illegible] derable force of truth, that Wharton's song of *Lullibullero* sa[illegible] King James II. out of three kingdoms. "Why (Milton sig[illegible] nificantly asks) was laughter, one of the most rational faculti[illegible] of the human intellect, first seated in the breast of man [illegible] Again, what philosopher or statesman (who is the philosoph[illegible] in action) ever doubted the magic influence, upon their respec[illegible] tive eras and countries, of such works as Cicero's *Stoicorum Paradoxa*, Cervantes' *Don Quixote*, Butler's *Hudibras*, Leroy's *Satire Menippée*, Swift's *Tale of a Tub*, *Gulliver's Travels*, Bickerstaff's *Argument against the Abolition of Christianity*, Burke's *Vindication*, or Whately's *Historic Doubts of Napoleo[illegible] Bonaparte?* The *Clouds* and *Birds* of Aristophanes, Racine[illegible] *Plaideurs*, and other lessons inculcated by the drama, wi[illegible] never be forgotten. Edmund Burke's *Vindication* was writte[illegible] in ridicule of "St. John's fell spirit"—of Bolingbroke's fou[illegible] philosophy: and Archbishop Whately's essay was written to reduce to an absurdity, which it did to perfection, Hume's *Essay on Miracles*. This is my reason—my apology if you please—for resorting to the weapon that I have used in my defence against the sceptic.

LECTURE IX.

CREATION OF MAN.

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Now, WHAT IS MAN ? King David's question is :—"What is man that Thou art mindful of him, and the son of man that Thou visitest him? For Thou hast made him a little lower than the angels, and hast crowned him with glory and honour. Thou madest him to have dominion over the works of Thy hand; Thou hast put all things under his feet."

Schoolmen have squabbled, a good deal, about a logical definition of man. What, then, is Man?

Probably, some of you may have come across the story of the Greek philosopher Plato, Diogenes the Cynic, and the academic cock. Plato—dissatisfied, it seems, with the definition of man then in vogue, that is to say, *animal rationale*, or an animal endowed with reason—defined him as an *animal implume*, that is to say, an animal without feathers. Diogenes —the great wag, or better known, perhaps, by the sobriquet of the Cynic—slipped out of the *phrontisterium*, or lecture-room : and, in what we here in Bombay call the compound, *pukaraod* a game-cock, stripped it of all its *robes de chambre*, and, as naked as when it was hatched, threw it into the Platonic arena, exclaiming, "There, Plato ! there's your man !" How the philosopher of philosophers took this *argumentum ad hominem* history sayeth not. It may be a cock-and-bull story, but I relate it as I received it : leaving the application and morale of it to you.

Man is a creature endued with reason. I did, in a former lecture, point out to you the derivation of the words *Adam, admi,*

admyat, and the like. I now go somewhat further in the same direction. The word *man* is in Sanskrit, '*to think*'; and the word *mantra* (usually translated 'prayer' or 'hymn') means 'what makes one think': again, *man*, in Sanskrit, *menos* in Greek, *mens* in Latin, and *mind* in English, are of the same family. *Atman*, in Sanskrit, is 'Divine Spirit.' From the name itself, without more, one would infer a *thinking* creature.* The emphatic words of Max Müller are:—"No animal thinks, and no animal speaks, except man. Language and thought are inseparable * * * The word is the thought incarnate." And as Farrar, in his fine *Essay on the Origin of Language*, says:—"Let him who would rightly understand the grandeur and dignity of speech meditate on the deep mystery involved in the revelation of the Lord Jesus as the Word of God."

When his Maker breathed upon man, he became a living soul. "The divinity that stirs within us," "the God within the mind," are the expressions of poets: and are not theologically correct. A Brahmin might with propriety use such words: but one who does not believe that the human soul is a drop from the ocean of that Divine mind, and, after death, is absorbed, cannot with propriety say so. "Man is a rational creature" is the proper language of all of us. But what is Reason? Call it by what name you please, it is the *supreme faculty* in man, and it is called *supreme*, because

"Reason's comparing balance rules the whole,"†

whereby he is able to discern the will of his Maker, and the absolute necessity, on his part, of obeying it as the only rule of life: if he would be happy in the life to come.‡ We have no ground for believing that any other creature under the sun has any conception of this rule of life. Hence the essential difference between *Reason* and *Instinct*, or by whatever name the law impressed on the brute creation may

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* Lect. IX.

† Pope; Bacon's *Advt. of Learn.*, bk. iv., ch. 3, and bk. v., ch. 1.

‡ Chalmers' *Moral Constitution of Man*, tit. Supremacy of Conscience.

be called.* A word often becomes so petrified by use, or by the exigencies of controversy, that it almost loses its original meaning—sometimes, indeed, so far as to mislead. I am not quite sure that it would not be advisable, if it could be done, to abstain, for a while, from the use of the words *Reason* and *Instinct:* and substitute some others in their place. As I have mentioned Lord Bacon's name in connexion herewith, I ought to tell you that he divides the human soul into the two parts *rational* and *irrational:* the former emanation, says he, is divine: and proceeds from the breath of God; the other from the elements. The latter we have in common with brutes. Both are manifest in the first creature.† But by what name soever we know it—

> "Whether with reason or with instinct blest,
> Know all enjoy that power that suits them best."

"There is every reason to believe," says *Sturm* in his *Reflexions,* "that *animals* have not the faculty of representing to themselves futurity." "That which renders beings capable of moral government (says Bishop Butler) is their having a moral nature. *Brute creatures* are impressed and actuated by various instincts and propensities. So, also, are we. But, additional to these, we have a capacity of reflecting upon actions and character."‡ If man, (says *Sydney Smith,*) like the brute creature, had only talent to gather his support, and defeat the hostile animals that surround him, no hope of immortality could be gathered from a condition like this. Man would be of the earth, earthy: destined to live in the world, with qualities fitted for the world, and to all appearances, limited to it. But * * * if the only object is present existence, such faculties [as I have described as belonging to man] are cruel, are misplaced, are useless. They all show us that there is something great awaiting us. That the soul is now young and infantine,

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* Paley's *Nat. Theol.*, ch. 18.

† *Advt. of Learn.*, bk. iv., ch. 3; and see Max Müller's Lect. IX., p. 335.

‡ See Chalmers' *Moral Constitution of Man,* ch. viii., p. 258; Max Müller's Lect. IX.

springing up into a more perfect life when the body falls into dust."

Max Müller's words are:—"The one great barrier between the brute and man is *Language*. Man speaks, and *no brute has ever uttered a word*. Language is our Rubicon, and no brute will ever dare to cross it."* Latham's words are:—"Language, as an instrument of criticism in ethnology, is the *most permanent* of the criteria of human relationship derivable from our moral constitution." Granted that animals have a *power of articulation*, or what Plato calls a *dialekton*, and Coleridge an *analagon of words*: moreover that they also (as Milton says) know, and reason not contemptibly, still *language*, in the sense in which Max *Max Müller* and *Latham* use the word 'language,' constitutes "the distinction between the chattering of a jackdaw and the eloquence of man." Whether language be revealed, innate and organic, or conventional, I stop not to consider.†

In the Psalms we have in two or three places the expression, "Save both man and *beast*."‡ Of the *immortality of brutes* (says Bishop Butler,) "granted for argument's sake, the idea does not, in the least, imply that they are endowed with any latent capacity of a rational or moral nature. And the economy of the universe might require that there should be living creatures without any capacities of the kind. And all difficulties, as to how they are to be disposed of, are so apparently and so wholly founded on our ignorance, that it is wonderful that they should be insisted upon by any, but such as are weak enough to think that they are acquainted with the whole system of things."

But the most essential difference, not excepting that of language, (the test of Max Müller, Latham, and others,) be-

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* See Farrar's *Essay on the Origin of Language*, ch. i., pp. 14, 30, 65.

† *Ibid.*; Locke *On the Human Understanding*, bk. i., ss. 1, 2.

‡ As to the *fall* and regeneration of the brute creation, see Dr. Cumming's Lect. VIII.

tween man and the brute creature, is that laid down by Bishop Sherlock in the passage which I have twice read to you. I need not read it to you again *in extenso*, although it cannot be read too often. I content myself with simply repeating the gist of it, namely, that man has the *power within himself of altering his moral condition*, for good or for evil, and that *no other creature* under the sun has any such power.

He made man after His own image. On a former occasion I read to you from Lord Bacon's *Advancement of Learning* his comment on this expression. I beg you to refer to it, that it may be associated with what is to follow, namely, that man—

> "When angels dwelt and God Himself with man"

that man was then as pure and perfect in soul, in righteousness and true holiness, as a man could be: such is the meaning of his being made in the image of his Maker.

> "God made thee perfect but not immutable,
> And good He made thee, but to persevere
> He left it in thy power."*

What the immediate effect of our first parents' disobedience and expulsion from their Maker's presence was, either upon their moral or physical constitution, upon soul or body, we know not: except from what has been expressly revealed to us: and even with the aid of Revelation, we do, by reason of our impaired vision, see it, as it were, though a glass darkly. If one might without offence be permitted,—for it is little better than conjecture,—one would compare it to the withdrawal of a father's love from a child for disobedience: and expulsion from the paradise of a virtuous home, wherein his childhood had strayed—a stranger yet to pain. This is one view of it—a poor one indeed, as I full well know. The nearest approximation to it that I myself have ever been able to make, is the condition

* *Par. Lost*, v. 524. As to the length of time that our first parents remained in this state, and the language used, see some curious sentiments in Dante's *Paradiso*, canto 26, notes in Cary's translation: *Quidam tradunt* [redacted] *se in Paradiso septem horas.* Dr. Cumming's 7th Lecture is remarkable to the *language* spoken by our progenitors in Paradise, see p. 126, n.

of this earth if, from any cause, the light and heat of the sun ("best image here below of the Creator") were withdrawn, or so intercepted, for a time, by clouds or otherwise, as not to reach it. Parts of it, now as rich and as fruitful as the Garden of Eden was, in all that contributes to life's enjoyment, would become, in the course of a few months, a dense jungle. All nature would groan under the weight of woe, from

> "Man's imperial race
> To the green myriads in the peopled grass."

The ruins of cities once the pride of man, and lands once overflowing with milk and honey, now Saharas or sand-hills, scarcely affording shelter for the wild beasts, afford, to all who believe in an overruling Providence, ample proof of all this.

The concluding sentence of Lord Bacon's *Novum Organum* (bk. ii.) is to the same effect, and Dr. Cumming's description of this in his 4th Lecture is remarkably grand and impressive. See, also, Lectures 7 and 32.

But we need not enlarge upon it so; for it is a fact ascertainable by simple inspection that man is, and has been, ever since some given event or some given period of time, (whatever that may be,) in a *degraded* condition: that he is the mere *wreck* of his former self. Philosophy, apart from Revelation, also, assures us that he is physically, as well as *mentally*, in this *degraded condition*. There is not in all the works of the illustrious Edmund Burke a shrewder or a more valuable moral reflection, (and that is saying a great deal,) than where he says:—"A bad man is distorted and paralyzed both in *body* and *mind*: and that it is as true to say of him that he could not if he would, as it is to say of him that he would not if he could."

Now comes the question—*Why* did the Almighty Creator and Preserver of the universe—a Being of infinite wisdom, goodness, and mercy—permit it? This leads us to the explanation of two vital subjects with which I propose to conclude the present course of lectures, namely, the solution of *moral evil*, and man's *free will*.

[redacted]ask (says *Wollaston*) why God permits evil is to ask [redacted]e permits a material world (which is incapable of perfec-[redacted]n) : or such a being as man : endowed, indeed, with some [redacted]ble faculties, but encumbered, at the same time, with bodily passions and propensities." And *John Wesley* says : "God made man after His own image : a spirit endowed with understanding and liberty. Man, abusing that liberty, produced evils : brought sin and pain into the world. This God permitted, in order to a fuller manifestation of His wisdom, justice, and mercy : by bestowing on all, who would receive it, an infinitely greater happiness than they could possibly have attained if Adam had not fallen * * * It is a common complaint (says he) against our first parents, and often against his Creator's mercy, if not justice, that He did permit [the fall of man]. He might have prevented it. But He knew that 'not as the transgression, so is the free gift.'" That the evil resulting from the former was not as the good arising from the latter. John Wesley, in enumerating instances of preponderating good resulting from it, observes, "If there were no pain or suffering, the abundance of good that springs out of it would have been unfelt, and all the passive graces, the noblest of the Christian graces, would have been unknown. Sanctified afflictions have, through the grace of God, an immediate and direct tendency to holiness. Add to this the advantage which others may receive by seeing our behaviour under affliction."

What *Milton* means where he says Adam "knew good *by* evil" I am unable to explain to you. The passage in which it occurs (full to overflowing of all that is large in thought and grand in words) requires more consideration than can be given to it here. Indeed, I do not know whether I ever could bring my mind to attempt it : seeing especially that Milton, whose every word "almost wears the majesty of inspiration," has expressed himself thereon so freely.

You need hardly to be reminded of the Psalmist's words :— "It is good for me to have been in trouble : that I may learn Thy statutes." All ye that have been in trouble know well what that means !

What says Shakespeare?

"Sweet are the uses of adversity,
Which, like the toad, ugly and venomous,
Wears yet a precious jewel in his head."*

John Bunyan's *Pilgrim's Progress* is one of the most charming and instructive of allegories: but, with all its charms and excellencies, I doubt whether it ever made so pleasing an impression on the reader's mind as that short one that we meet with in St. E'tienne's *La Chaumière Indienne*, or Indian *Chawl*. The coarser but more substantial texture of the Anglo-Saxon is but a poor substitute for the delicate fibres of the French tongue: yet I will do what I can to translate it. I think you will see in it a happy illustration of the subject we are now upon, the alloy of good and evil in this life: and above all how, if we can only raise ourselves to that height whence we ought to survey so vast a subject, all the troubles of life—its inequalities, deemed evil—disappear, in the immense prospect of uninterrupted happiness that lies before us.

"Misfortune (evil) resembles the black mountain of Bember, on the borders of the broiling realm of Lahore. Whilst you are climbing it, you see nothing before you but barren rocks: but when you are on the summit, you will see heaven above your head, and at your feet the kingdom of Cashmere."

A word or two more. In all the prose writings of *Milton* I know not a finer passage, philosophically considered, than the one that I am about to read to you. By way of introduction however, let me explain to you why it was written. At the time when he was pouring forth, with unabated energy and courage, streams of eloquence, as the advocate of civil and religious liberty, then on her trial at the bar of public opinion, a narrow-minded malicious bigot ascribed his blindness to Divine judgment for the violence of his language. To vindicate himself, he wrote as follows:—

"Since my enemies boast that this affliction is only a retribution for the transgressions of my pen, I again invoke the Almighty to witness that I

* See Wollaston; Paley's *Nat. Theol.*, ch. 26; and Milton's Speech for the Liberty of Unlicensed Printing.

never, at any time, wrote anything which I did not think agreeable to tr
to justice, and to piety. This was my persuasion then, and I feel the sa
persuasion now. Let, then, the calumniators of the Divine goodness cea
to revile, or to make me the object of their superstitious imaginations. Le
them consider that my situation, such as it is, is neither an object of my
shame or my regret, that my resolutions are too firm to be shaken, that I
am not depressed by any sense of the Divine displeasure; that, on the other
hand, in the most momentous periods, I have had full experience of the
Divine favour and protection; and that in the solace and the strength which
have been infused into me from above, I have been enabled to do the will
of God, that I may oftener think on what He has bestowed, than on what
He has withheld; that, in short, I am unwilling to exchange my conscious-
ness of rectitude with that of any other person; and that I feel the recol-
lection a treasured store of tranquillity and delight. But, if the choice were
necessary, I would, Sir, prefer my blindness to yours; yours is a cloud spread
he mind, which darkens both the light of reason and of conscience;—
e keeps from my view only the coloured surfaces, while it leaves me to
ntemplate the beauty and stability of virtue and of truth. How many
things are there besides which I would not willingly see; how many which
must see against my will; and how few which I feel any anxiety to see.
There is, as the Apostle has remarked, a way to strength through weakness.
Let me, then, be the most feeble creature alive, as long as that feebleness
serves to invigorate the energies of my rational and immortal spirit; as long
as in that obscurity in which I am enveloped the light of the Divine presence
more clearly shines; then, in the proportion as I am weak, I shall be invin-
cibly strong, and in proportion as I am blind I shall more clearly see. Oh,
that I may thus be perfected by feebleness, and irradiated by obscurity!
And, indeed, in my blindness I enjoy, in no inconsiderable degree, the
favour of the Deity: who regards me with more tenderness and compassion
in proportion as I am able to behold nothing but Himself. Alas for him
who insults me, who maligns, and merits public execration! For the Divine
law not only shields me from injury, but almost renders me too sacred to
attack; not, indeed, so much from the privation of my sight, as from the
overshadowing of those heavenly wings which seem to have occasioned this
obscurity; and which, when occasioned, He is wont to illuminate with an
interior light, more precious and more pure. To this I ascribe the more
tender assiduities of my friends, their soothing attentions, their kind visits,
their reverential observances. This extraordinary kindness which I ex-
perienced cannot be any fortuitous combination; and friends such as mine do
not suppose that the virtues of a man are contained in his eyes. Nor do the
persons of principal distinction in the Commonwealth suffer me to be bereaved
of comfort when they see me bereaved of sight, amid the exertions which I
made, the zeal which I showed, and the dangers which I ran for the liberty
which I love. But, soberly reflecting on the casualties of human life, they

...ne favour and indulgence as to a soldier who has served his time, and ...ndly concede to me an exemption from care and toil. Thus, while both ...od and man unite in solacing me under the weight of my afflictions, let no ...one lament my loss of sight in so honourable a cause. And let me not indulge in unavailing grief, or want the courage either to despise the revilers of my blindness, or the forbearance easily to pardon the offence."

As regards *free will* Milton wrote as follows :—

"So will fall
He and his faithless progeny : whose fault?
Whose but his own? Ingrate, he had of me
All he could have ; I made him just and upright,
Sufficient to have stood, though free to fall.
Such I created all the Ethereal Powers
And Spirits, both them who stood, and them who failed ;
Freely they stood who stood, and fell who fell.
Not free, what proof could they have given sincere
Of true allegiance, constant faith, or love?"

In his tractate entitled *The Christian Doctrine of the Divine Decrees** Milton wrote thus :—

"To comprehend the whole matter in a few words, the sum of the argument may be thus stated in strict conformity with reason. God of His wisdom determined to create men and angels reasonable beings, and therefore free agents, foreseeing, at the same time, which way the bias of their will would incline, in the exercise of their own uncontrolled liberty. What then? Shall we say that this foresight or foreknowledge on the part of God imposed on them the necessity of acting in any definite way? No more than if the future event had been foreseen by any human being; for what any human being has foreseen, as certain to happen, will not less certainly happen than what God Himself has predicted. Thus Elisha foresaw how much evil Hazael would bring upon the children of Israel in the course of a few years (2 Kings viii. 12) : yet no one would affirm that the evil took place necessarily on account of the foreknowledge of Elisha; for had he never foreknown it, the event would have occurred with equal certainty, through the free will of the agent. In like manner, nothing happens of necessity because God has foreseen it; but He foresees the event of every action, because He is acquainted with their natural causes, which, in pursuance of His own decree, are left at liberty to exert their legitimate influence. Consequently, the issue does not depend on God, Who foresees it, but on him alone who is the object of His foresight. * * God foreknew that Adam would fall of his own free will; his fall was, therefore, *certain*, but not *necessary*, since it proceeded from his own free will, which is incompatible with necessity." * * *

* Vol. IV., ch. 3 ; and see *Predestination*, ch. 4, Bohn's ed.

"From what has been said, it is sufficiently evident that free causes are not impelled by any law of necessity arising from the decrees or prescience of God. There are some who in their zeal to oppose this doctrine do not hesitate even to assert that God is himself the cause and origin of sin.* Such men, if they are not to be looked upon as misguided rather than mischievous, should be ranked among the most abandoned of all blasphemers. An attempt to refute them would be nothing more than an argument to prove that God was not the Evil Spirit!

"Many there be that complain of Divine Providence for suffering Adam to transgress. Foolish tongues! † When God gave him reason, He gave him reason to choose, for reason is but choosing; he had been else a mere artificial Adam, such an Adam as he is in the motions. We ourselves esteem not of that obedience, or love, or gift, which is of force. God, therefore, left him free, set before him a provoking object ever almost in his eyes; herein consisted his merit, herein the right of his reward, the praise of his abstinence."‡

There are a few plain maxims hereon easily remembered:—

Man proposes, God disposes. Events are with God: but deliberation is allowed to man (a Pushtoo proverb).§ The events of life do not happen because God foresees them; He foresees them because they happen: *e. g.* the death of Mr. Percival was according to the will of heaven: the crime of Bellingham was his own. ||

> "If plagues and earthquakes break not heaven's design,
> Why then a Borgia or a Catiline?" ¶

"In wonder (says Coleridge in his *Aids to Reflection*) all philosophy began: in wonder it ends: and admiration fills up the interspace. But the first wonder is the offspring of ignorance: the last is the parent of adoration. The first is the birth-throe of our knowledge. The last is its euthanasy and apotheosis."

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* The Calvinists.

† See p. 95.

‡ Vol. II., p. 74, Bohn's ed.

§ Elphinstone.

|| Ward.

¶ Pope.

To conclude: the audience, that I have had the honour to address, all along, has consisted of Hindoos, Mahometans, Parsees, and Jews, as well as Christians: while these lectures were intended exclusively for the congregation to which I have the happiness to belong. Seeing the mixed character of my audience, I have never lost sight of this very gratifying circumstance; but I must now be permitted to address a few observations more especially to my co-congregationalists.

"Christianity (says *Robert Hall*) affords a pure and perfect standard of virtue. With the sceptic or infidel, human nature knows nothing better or higher than itself. * * * A system of morality built upon instincts will only find out reasons and excuses for opinions and practices already established: will seldom correct or reform either. * * * As well may you expect exalted sentiments of justice from a professed gamester, as look for noble principles in the man whose hopes and fears are all suspended on the present moment, and who stakes the whole happiness of his being on the events of this vain and fleeting life."

We have it on the authority of *Mrs. Piozzi* that, in a conversation between the *Duc de Chaulnes* and *Dr. Johnson*, the former remarked—"The morality of the different religions in the world, Sir, is much the same": whereupon the great moralist replied,—"That may be so; but you must acknowledge, my lord duke, that the Christian religion puts it upon its proper basis—the fear and love of God."

Of all this great man's sayings there is not one more memorable than this.

A few of the many grand features of Christianity are well summed up by Lord Macaulay:—"A religion pure, merciful, and philosophical: a religion to the evidences of which the highest intellects have yielded * * * its benevolent morality, its exquisite adaptation to the human heart, the facility wit which its scheme accommodates itself to the capacity of ev human intellect, the consolation it bears to the house of m ing, the light with which it brightens the great myste the grave. * * * Its sublime theology confounded the G schools in the fair conflict of reason with reason. and wisest of the Cæsars found their arms a

unavailing when opposed to the weapons that were no
and the kingdom that was not of this world."

My *Christian* brethren! Let me remind you of C
James Fox's famous words:—" Indulgence to other sect
candid respect for their opinions, a desire to promote chari
and good will, are amongst the best proofs that any religion
can give of its divine origin."

" Tuque prior? tu parce genus qui ducis Olympo!"

Words not inaptly paraphrased by Milton's glorious admonition:—" England cannot afford to forget her precedence of teaching the nations how to live."

And now:—" Glory to God in the highest: and on earth peace, good will toward men."

connection of *D*

that Paul III. excommunicated He
his turn, published 1,500 copies of the Bible
Hen. VIII., ch. 1 (1534), which declared the king sup
the Church of England, and when "the supremacy,"
Hale's words, "was rejoined and restored to the Crow
Parliament." See more hereon in Burnet's *History*
Mosheim's *Eccl. Hist.*, vol. III.; Gladstone *On Chu*
Macaulay's review of it.

P. 27. "*The Reformation* had been a national as well
It had been not only an insurrection of the laity against th
an insurrection of all the branches of the great German rac
domination."

"*The Revolution*, properly understood, was not a victory of Protesta
over Popery, but of civil and religious liberty over oppression, an
Catholics were excluded from its benefits because they were ranged in
cause of the oppressor."—*Macaulay*.

It was a remark of Sir Richard Steele, as to the difference between th
Church of Rome and the Church of England, that the one professes to b
infallible, the other never to be in the wrong. But the observation of
Fulton (the barrister) was, probably, nearer the mark. He, on hearing
some one assert that there was only a *paper* wall between the two, said—
"That may be so, but the whole Bible is printed upon it."

According to De Lolme—"La Révolution de 1688 est la troisième grande
époque dans l'histoire de la constitution de l'Angleterre. La Grande Charte
vait indiqué les bornes où devait se renfermer le pouvoir du Roi: le règne
douard Premier avait élevé quelques barrières; mais c'est à l'époque
Révolution qu'on acheva de fermer l'enceinte, c'est à cette époque
poserent les grandes et vrais principes des sociétés."

29. "God has put no arms into the Church's hand but those of
atience and innocence, prayer and discipline."—*Milton*.

P. 34. As to the writings of Moses, see further in Bacon's *Advt. of Learn.*, bk. i.; *Novum Organum*; and Luther's *Commentaries on Genesis*.

NOTES

or another, and, perhaps, a better reason for this line

ltrepid heroes of the Cross," in placing the *inspired* of one of the *corps d'armée*, showed a much more tural philosophy than what modern men of science are iem with; for, undoubtedly, what *Juvenal* says is quite

Soliciti canes, canibusve sagacior anser"

re 'cute: but geese are 'cuter still." Seeing that Rome ?) was, once upon a time, saved from Goth or Vandal bar- by the solicitude of a goose or gander, (history being silent as to its r,) "these intrepid heroes of the Cross" had every reason, that expe- e derived from the fact, afforded for the choice of leader in such an dition. Whether the sublime idea originated with Pope Urban II. seems be doubtful. Suffice it to say that it has been religiously adopted, ever nce that great man's time, in many an enterprise of a like kind: and if a eal father cannot be found for it, the matter may, with no very great impro- riety, as done in the dispute about Homer's birthplace, and the like, be referred to heaven; for

Quem Deus vult perdere prius dementat.

P. 16. "They who seek to corrupt our religion are the same who would enthral our civil liberty."—*Milton.*

P. 19. In Elphinstone's *Cabul* it is stated that the Eurofygees found a *Moollah* copying the Koran: and cut off his head, saying:—"You tell that these books were from God, and we have caught you making yourself."

P. 22. *The external policy* of the Church (as the declaration prefix the Articles describes it) belongs to our sovereign. The Queen (amon other functions of the kind) convenes, prorogues, &c. all ecclesiastical synods and convocations, nominates to vacant bishopries, &c. &c.

The original Articles, signed by the two Houses of Convocation, were

P. 36. As to the derivation of the word *Aryan*, see Max Müller's *Lectures*, pp. 198, 224; and as to its affinity with the *Semitic* languages and *Turanian* or *Nomadic*, *ib.*, Lect. VIII., and Farrar's admirable essay on *The Origin of Language*, ch. IX.

P. 37. As to the *Pali* language and *Buddhism* in general, see *ib.*, Lect. IV., p. 138, and his *Anc. Sansk. Lit.*, p. 269. The Mahavanso, or the celebrated history of Ceylon, is in Pali. The Cingalese call Pali Mungata; and the Burmese call it Magadabâsâ. BUDDHA is called in China by the Sanskrit name Fo-t'-e and Fo.

P. 40. Dr. J. Wilson's *Sermons to the Parsees* (*e.g.* p. 40) abounds in such-like sentiments. Is it not high time to get rid of such imaginary notions: above all, of the *vulgar error* that the Parsees are fire-worshippers? They are not! Unless, indeed, you classify with them our own great poets, together with their admirers, (numbered by millions of the most enlightened men in the world,) who poured forth their mighty souls in angelic strains like these:—

"Great Source of Day! best image here below
Of thy Creator, ever pouring wide,
From world to world, the vital ocean round,
On Nature write with every beam His praise."

Thomson.

"Hail, Holy Light! offspring of Heaven's firstborn,
Or of the Eternal Co-Eternal Beam!
* * * "before the s
Before the heav'n thou wert! and, at the v
Of God, as with a mantle, didst invest
The rising world of waters."

"*Burnouf* was the *first* to decipher the language
to demonstrate its relation with the Sanskri
not from the original. Max Müller seems to
Avesta was translated into Greek, at Alexandr
Septuagint translation of the Old Testament was

P. 41. "The Rig-veda and Sâma-veda are like fr
the Yajur-veda is the wall on which they stand."—Max
Lit., p. 175. * * "The Hindus were a nation of philo
struggles were the struggles of thought: their past the proble
their future the problem of existence." *Ib.*, p. 31.

As to the degree of family relationship between the Sanskrit,
Latin, Gothic, Keltic, &c., see Max Müller's 4th Lecture. *Rober*
Nobili seems to have been the *first* European Sanskrit scholar: but (says he) the history of European Sanskrit philology dates from the foun-

dation of the Asiatic Society at Calcutta, in 1784, by Sir W. Jones, Wilkins, Colebrooke, and others. *Dugald Stewart*, strange to say, denied the existence of a Sanskrit language!—*Scottice*, a mere Brahman invention! About the same enlightened period of Scotch "feelosofy" Lord Monboddo's ape-dogma was printed! and, to crown the whole, his Lordship's great and apparently original discovery—that the primary language of mankind was the invention of some Egyptian gods! See more on the ape, monkey, and gorilla-*walla* in pp. 59, 65, 80, &c.

P. 45. It is a very remarkable fact that a *Greek* version of the *Samaritan Pentateuch* is referred to in the marginal notes of the *Septuagint* version: see Wilson's *Lands of the Bible*. Whether the Samaritan Pentateuch in Walton's *Polyglot* be a copy of the one at Shechem, I am unable to say.

The language of Babylonia is known by philologists as *Aramaic*—sometimes written *Amharic*—divisible into *Syriac* and *Chaldee*. It was the dialect of our Lord and His disciples. Such words in the New Testament as *Talitha kumi*, *Maranatha*, and *Abba* are cited to prove this. It was adopted by the Jews during their captivity.

P. 47. *Ulfilas*, a Western Goth, was consecrated bishop by Eusebius, bishop of Nicomedia, in 348, and died in 388, A.D. He wrote in Greek, Latin, and Gothic. He translated the whole Bible except the Book of Kings. For the Old Testament he used the Septuagint. The emperor Constantine styled him "the Moses of his time." These Gothic fragments, [illegible] Ensal, in Sweden, are become of inestimable value to the philo- [illegible] Müller's 5th Lecture, p. 175.

[illegible] derivation of our word GOD, philologists are not quite [illegible]'s admirable essay *On the Origin of Language*; Bunsen's [illegible]. Grimm, in his *Deutsch Myth.*, p. 12, would seem to [illegible] matical difference, in the Teutonic language, between [illegible]d." "If," adds Farrar, "the Persian *Khoda* can [illegible] *lata*, Sanskrit *Svadata*,—*à se datus, increatus*, [illegible] y would be given."

[illegible] of Virgil is often referred to as proof of the [illegible] ce with the writings of Moses.

[illegible] ther hereon in Milton's *Areopagitica*; Chalmers' *Moral* [illegible] (intr. 11); Dr. E. Burton's *Hist.* (*tit.* Manichaeism); Gibbon, [illegible] lliam's *Middle Ages*, ch. 9, pt. 2; Bacon's *Novum Organum*, [illegible] 96; *Adv. of Learn.*, bk. ii., ch. 13. As to the opinions of *Demo-* [illegible] s and *Epicurus*, ib., bk. ii., ch. 4, 13. Epicurus, true to his principles, [illegible] he was *in extremis* got drunk; and died, as he wished to do, in that state. Hence the epigram:—

"*Hinc Stygias ebrius transit aquas.*"

P. 56. What is in italics in the text from *Manu* was interpolated by Kaluka—*obscurior per obscurius!*

P. 62. "These are simple facts and to be accepted as such. If we begin to reason on them, the edge of the human understanding glances off. Our mind is so constituted that it cannot apprehend the absolute beginning or the absolute end of anything."—*Max Müller.*

P. 67. Apamea, Corna, or Kurnah. The Euphrates formerly reached the sea by a separate channel. It was obstructed and diverted by the citizens of Orchoe, about twenty miles south-east of Bussora. As to the *source, course,* and *navigation* of the Euphrates and Tigris, see D'Anville's *L'Euphrate et le Tigre*, p. 98; Gibbon, ch. 24, 40.

P. 68. The poet's eye must have been in a fine frenzy rolling, otherwise the Deluge must have entirely changed the face of Nature thereabouts, to conceive in such a place *a place of delight*; for *Pliny* (21, 44) tells us th[illegible] on the mountains south of Trebisond was "a rigorous climate, w[illegible] snows seldom melted, the fruits were tardy and tasteless, [illegible] was poisonous."

Arya is a Sanskrit word, and in later Sanskrit sign[illegible] *family*. It was originally a *national* name; see p. 6[illegible]

As to *Ararat*; Herr Benjamin tells us that the T[illegible] it Touri-Kardu, Mountain of Kurdistan, or, pro[illegible] six days' journey from Sachee on the Chabur [illegible] to Jewish tradition, near the altar at the foot [illegible] opinion that *the Kurds* (Jews and Nestoria[illegible] tribes of Zabulon and Nephthali. *Note*—Su[illegible] A.D.) the *Armenians* have been Christians. [illegible] Ekmiasin, three leagues from Erivan. They are [illegible] the Greek and Latin Churches.

P. 70. As to Adam and Eve, the serpent, [illegible] *Rambles*, p. 11.

P. 71. As to great convulsions and physical ch[illegible] case of the Goodwin Sands; the city of Ravenna and its p[illegible] land), in which the galleys of Augustus rode; the Lucrine Lake, now M[illegible] Nuovo; the Ostia Tiberina, where Genseric, king of the Vandals, in 455 [illegible] landed his hosts and sacked Rome. See, also, Gibbon's description [illegible] appalling earthquake that in the time of Valentinian, 365 A.D., almost ch[illegible] the face of Palestine and Bithynia, and shook the greatest part of the [illegible] world.

P. 72. As to the *length of time*, &c. that Adam remained in this state, according to the Gnostics, and as to what would have been his *condition* had

he not been disobedient; how Paradise would have been peopled, &c., see Gibbon, ch. 15 and 37.

P. 77. See Tacitus' idea of the *Indigenæ* of Germany in Gibbon, ch. 9.

P. 93. Dr. Cumming, Lect. 32:—"Nature fell with Man: and she expects with man to rise again. When man rose against God, all creation rose against him, and she suffered in her insurrection as he did in his."

Lord Bacon, *Nov. Org.*, bk. ii.:—"Man, by the fall, lost at once his state of innocence, and his empire over creation: both of which can be partially recovered even in this life: the first by religion and faith, the second by the arts and sciences."

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